



BENJAMIN FRANKLIN,
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COLONIAL A M E R I C A

S E C O N D E D I T I O N

Oscar Theodore Barck, Jr.

PROFESSOR OF HISTORY, SYRACUSE UNIVERSITY

Hugh Talmage Lefler

KENAN PROFESSOR OF HISTORY

UNIVERSITY OF NORTH CAROLINA



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PREFACE TO THE FIRST EDITION

A knowledge of colonial America is essential to full comprehension of the subsequent history of the United States. In the period prior to 1789 the "transplanted Europeans" developed many of the theories and traits that formed the American way of life.

In the political field great strides toward democracy were made with the initiation of the concepts of popular representation, separation of powers, a broader franchise, the initiative, referendum, and recall, and Federal and state governments. In the area of civil liberties the various bills of rights afforded original protection for the several "freedoms." Religious life changed radically, with increasing emphasis upon toleration and separation of church and state. The way was paved for public control of education, and cultural advances were made in related fields. Social life was losing its aristocratic tinge as the frontier was enlarged and relics of feudalism were disappearing. The first glimmerings of "Manifest Destiny" were indicated as the colonists pushed westward across the Appalachians. A combination of these and other factors helped to make the "transplanted Europeans" into Americans and to form the "melting pot," which is still functioning.

In this story of colonial America less emphasis is placed upon the Age of Exploration and less detail is given to the establishment of each of the original colonies. On the other hand, more attention has been given to the economic and cultural aspects of early American life, as well as to the period of the American Revolution. The authors feel that this concentration is the one most likely to provide a sound understanding of the United States in the nineteenth and twentieth centuries. Many contemporary quotations, which should help considerably to make the period live, are included in this account.

The bibliography is divided into two parts. The first consists of titles which should be helpful to the advanced student of colonial history. The second contains a list of books which are primarily for the undergraduate student.

The authors wish to acknowledge the sympathetic support given by their respective wives during the long period when this volume was growing, sometimes very slowly for them, to maturity.

OSCAR THEODORE BARCK, JR.

HUGH TALMAGE LEFLER

PREFACE TO THE SECOND EDITION

In the decade that has elapsed since the publication of the first edition, there have appeared many works dealing with various aspects of American history through the adoption of the federal Constitution. These studies indicate that both scholars and the general public are showing a growing interest in a knowledge of colonial America, which, as the authors stated in the preface of the first edition, "is essential to full comprehension of the subsequent history of the United States."

In this second edition the authors, while continuing approximately the same organization, have incorporated many of the valid new interpretations that have been advanced in the last ten years. In addition, many maps have been added, particularly for colonial settlement, as well as more illustrations in order to provide the reader with a better visual idea of the life and times of the colonial and Revolutionary period. The bibliographic materials, for both the advanced and the undergraduate student, include the most recent works for this period of American history.

The authors wish to thank the numerous colleagues and users of the first edition for their many valuable suggestions for the improvement of the original text. Special appreciation is extended to our respective wives, who undoubtedly suffered—though silently—while the authors were in seclusion making the revisions for this edition.

O S C A R T H E O D O R E B A R C K , J R .

H U G H T A L M A G E L E F L E R

CONTENTS

LIST OF MAPS

xi

1	The Old World and the New	1
2	The Beginning of English Colonization	22
3	The Founding of Virginia	36
4	Maryland: First Successful Proprietary Colony	57
5	The Settlement of New England: The Founding of Plymouth	69
6	The Massachusetts Bay Colony	80
7	The Completion of New England Colonization	96
8	British Colonies in the Caribbean	113
9	Colonial Policies Under the Commonwealth and Restoration	126
10	The Carolina Proprietary	148
11	Anglo-Dutch Rivalry on the Hudson	163
12	The Quaker Colonies	181
13	Colonial Unrest, 1660-1689	196
14	British Policies and Problems, 1689-1740	217
15	Eighteenth Century Colonial Administration	236
16	Territorial Growth and Expansion in the Eighteenth Century	250
17	The New Immigration	264
18	Colonial Life and Society	277
19	The Labor Problem in the Colonies	310
20	The Land System and Agriculture in the Colonies	323
21	Industrial Life in the Colonies	344
22	Colonial Travel, Transportation, and Trade	360

23	Religion and the Church	386
24	Colonial Culture: Education	405
25	Colonial Culture: Professions, Sciences, and the Arts	423
26	The Great War for the Empire	441
27	The New Imperial Policy	459
28	The West and Its Problems, 1763-1775	470
29	The Greenville Plans	490
30	The Breach Widens	511
31	The First Continental Congress	533
32	Revolutionary Local and State Governments	547
33	Progress Toward Independence	557
34	The American Revolution: Years of Tribulation	577
35	The American Revolution: Tide of Victory	603
36	Revolutionary Diplomacy and Finance	623
37	The Revolution Within	640
38	The Articles of Confederation	653
39	The Critical Years	662
40	The Constitution	682
	B I B L I O G R A P H Y	699
	I N D E X	731

LIST OF MAPS

Principal Voyages of Exploration	6
Territorial Provisions of the Virginia Company Charters of 1606 and 1609	37
The Chesapeake Area	61
New Plymouth About 1690	77
Massachusetts Bay Colony Under the 1629 Charter	82
Connecticut Under the Charter of 1662 and Rhode Island Under the Charter of 1663	102
The Caribbee Islands	120
The Carolinas	151
New Netherland and New Sweden About 1650	173
New Jersey About 1685	185
Pennsylvania About 1703	188
The Colonies About 1689	193
Eastern North America in 1713	225
Georgia Under Charter of 1732	259
English Possessions, 1763 and After	475
Seat of War in the Northern and Middle States	598
The West in the Revolutionary Period	609
The War in the Southern States	617
State Claims to Western Lands	658
A Township Survey	677
Land Surveys in the Old Northwest	679

THE OLD WORLD AND THE NEW



The history of the colonies founded in the New World by enterprising Spanish, Portuguese, Dutch, Swedish, French, and English adventurers from the end of the fifteenth century into the eighteenth is but a part of a larger account of the expansion of Europe. Indeed, the statements, so often repeated, that "Americans are transplanted Europeans" and that "America is the outpost of Europe" are historically correct. With the exception of the American Indians and the African Negroes, the inhabitants of the New World, certainly through the eighteenth century, were all people of European birth or descent, who brought with them or inherited European customs, traditions, language, and ideas and theories of government. Such being the case, it is essential in tracing the founding and growth of the colonies in North America that were established by Englishmen or that came under English control to relate the factors and conditions in Europe that contributed to and affected the development of those settlements. Because, however, the main theme of this volume is the political, economic, and cultural history of those colonies, only a sufficient survey will be presented to indicate the part the European background played in shaping the destinies of those who were willing to brave the dangers of both a long and treacherous transatlantic voyage and a New World wilderness to establish homes and governments in English America.

Feudalism and the Crusades. When the Roman Empire broke up in the fifth century, Europe was plunged into the period usually referred to as the Dark Ages, during which the scattered inhabitants made little progress in matters political, economic, or cultural. The accompanying era of feudalism, with its emphasis on manorial self-sufficiency and local warfare, was not conducive to the development of centralized government, urban growth, exchange of commodities, or an inquisitive spirit. In the absence of national states, the only unifying force was the Christian Church centered in Rome, but even that institution was not wholly effective because of the generally disruptive features of the era.

One of the first indications of an awakening from the slumber of the Dark Ages was the Crusades, beginning with the call by Pope Urban II in 1096 for all good Christians to reconquer the Holy Land from the infidel Mohammedans,

but broadening into selfish efforts on the part of many participants to escape debts, to gain lands in the Middle East that were thought to be "flowing with milk and honey," or to obtain salvation in a new way. These Crusaders did not succeed in their primary religious objective, but, regardless of their motives, they weakened the bonds of isolationism that the Dark Ages had forged. Furthermore, they rediscovered products of the Far East—spices, precious stones, silks, and satins—that their ancestors had enjoyed centuries earlier. Many of the Crusaders who escaped the swords of the Saracens and returned to western Europe were not content to resume their old ways of life, which had been narrow and monotonous. They not only wished to continue the friendships they had made with other Europeans, but to ensure the possibility of obtaining the luxury items of the Orient.

[The Crusades likewise helped to promote a spirit of intellectual unrest.] The more open-minded participants gained a liberal education from their experiences. They exchanged ideas with those from other parts of western Europe and also came into contact with an Arabic civilization that was much more advanced than their own. These factors in turn contributed to a revival of interest in what had long since been forgotten about art, government, and science. This so-called Renaissance, combined with the beginning of the decline of feudalism after the Crusades, promoted the rise of national states. New cities were built and old ones restored. Trade among these communities, the foundation of the new nations, began to flourish. A money economy gradually replaced the feudalistic barter system, and a merchant class emerged in the towns (hence the name *burghers* or *bourgeoisie*) to form a middle class that was soon to become the backbone of the new economic order.

Universities—another outgrowth of the intellectual unheaval that followed the Crusades and the decline of feudalism—sprang up in Paris, Bologna, Leyden, and elsewhere, and eventually included in their curricula subjects long neglected: astrology (astronomy), alchemy (chemistry), cartography, and navigation. Enterprising and adventurous Europeans put their new knowledge to practical use. Bigger and better ships were built; more accurate maps and sailing charts (*portolani*) were drafted; and inventions new to Europe, such as the compass, the astrolabe, and the quadrant, helped to make navigation safer, faster, and more accurate.

The gradual diffusion of this knowledge lessened the fears and superstitions that had multiplied during the Dark Ages. No longer did learned men believe that the earth was flat or that great monsters inhabited the seas, ready to swallow an unwary ship, even though they still adhered to the opinion of ancients such as Ptolemy and Aristotle that the earth was only about 80 per cent of its actual size and that its land areas were much larger than its oceans. Yet the greater knowledge of the world made it easier to persuade monarchs to give their blessing, men of wealth to "adventure" their capital, and sailors to risk their lives in quest of an all-water route to the Far East.

Such an all-water route was considered an economic necessity if the luxury

items of the Far East were to be obtained at reasonable cost. The normal means of receiving them since the time of the Crusades had been by land caravan or by water from China (Cathay) and India along varied routes to ports on the eastern Mediterranean, where they were picked up by ships owned by merchants of Italian city-states, such as Venice and Genoa, to be distributed throughout western Europe. Because these commodities changed hands many times during the Asiatic journey, with a profit at each exchange, and the Italian merchants had a virtual monopoly of the European market, the ultimate price to consumers was exorbitant, much more than the average European could afford.

Also playing a part in the European desire to reach the Orient were the writings of Marco Polo, who, with his uncles, spent two decades at the fabulous court of Kublai Khan near the end of the thirteenth century. The reports of other travelers, both royal ambassadors and ecclesiastical emissaries, told of the wealth and splendor of the empires in the Far East. Rife were rumors of a kingdom—none knew exactly where—ruled by a Prester John, where wealth and luxury were enjoyed by all his subjects.¹

Portugal Leads the Way. Portugal, the first modern national state to reach its present boundaries, led the way in the attempt to reach the Far East by water. Her inability to expand territorially in Europe, her good location on the Atlantic, her long coastline in proportion to her size (which meant that a goodly number of her inhabitants lived on or near the sea), her seamen trained in the school established by Prince Henry the Navigator (1394–1460), the poverty of her people and their inability to buy monopoly-priced luxuries, and a holdover of the crusading spirit were major reasons for her enterprising spirit.

The route Portugal sought was around southern Africa. Before the middle of the fifteenth century Portuguese sea captains had rediscovered the Madeira and Azores Islands, claiming them in their country's name, and had reached the Cape Verde Islands. Shortly thereafter the Africa shoulder was rounded as far as the Guinea coast, and in 1471 the equator was passed. With brimming optimism that the Indies lay ahead, the number of expeditions increased, until in 1488 Bartholomew Diaz rounded the Cape of Storms. His mutinous crew refused to sail farther, but the Diaz voyage caused the enthusiastic King John II to change the name of the cape to Good Hope. Ten years later Vasco da Gama reached India on the first all-water voyage from Europe to the Far East.²

The Voyages of Columbus. Meantime, Christopher Columbus, a Genoese by birth (1451), after years of trying to obtain financial backing in several Euro-

¹ For detailed accounts of this background of the Age of Exploration, see the two works of Edward P. Cheyney, *European Background of American History* (1904) and *The Dawn of a New Era* (1936), as well as Wilbur C. Abbott, *The Expansion of Europe* (2 v., 1918). Although these three works are comparatively old, they are still the best in the field.

² For detailed accounts of these and other Portuguese explorations, see Edgar Prestage, *The Portuguese Pioneers* (1933).



Christopher Columbus, engraving by Theodore De Bry. (Courtesy of The New-York Historical Society, New York City)

pean countries, including Portugal, finally succeeded in persuading Queen Isabella of Spain to sanction and partially finance an expedition to the Indies, this time by sailing westward. On April 30, 1492, both King Ferdinand and Queen Isabella extended to him the following commission:

For as much as you, *Christopher Columbus*, are going by our command . . . to discover and subdue some Islands and Continent in the ocean, and it is hoped that by God's assistance, some of the said Islands and Continent in the ocean will be discovered and conquered by your means and conduct, therefore it is but just and reasonable that since you expose yourself to such danger to serve us, you should be rewarded for it. And we being willing to honour and favour you for the reasons aforesaid: Our will is, That you, *Christopher Columbus*, after discovering and conquering the said Islands and Continent in the said ocean, or any of them, shall be our Admiral of the said Islands and Continent you shall so discover and conquer . . .

On October 12, 1492, the Columbian fleet of three small ships (*Santa Maria*, *Niña*, and *Pinta*) and ninety men landed on a small island that their leader believed to lie in a remote part of the Indies, but that was actually Watlings Island in the Bahamas; hence he applied the name *Indians* to the natives of the New World. It is needless to go into greater detail about this or the three subsequent voyages (the last in 1502–1504) that Columbus made to the West Indies and the South and Central American mainland. He never did touch what is now the United States, and died in 1506 unaware that he had discovered a new world.³

The importance of the voyages of Columbus is that they were the first authen-

³ See Samuel E. Morison, *Admiral of the Ocean Sea, A Life of Christopher Columbus* (2 v., 1942) for one of the best accounts of these voyages.

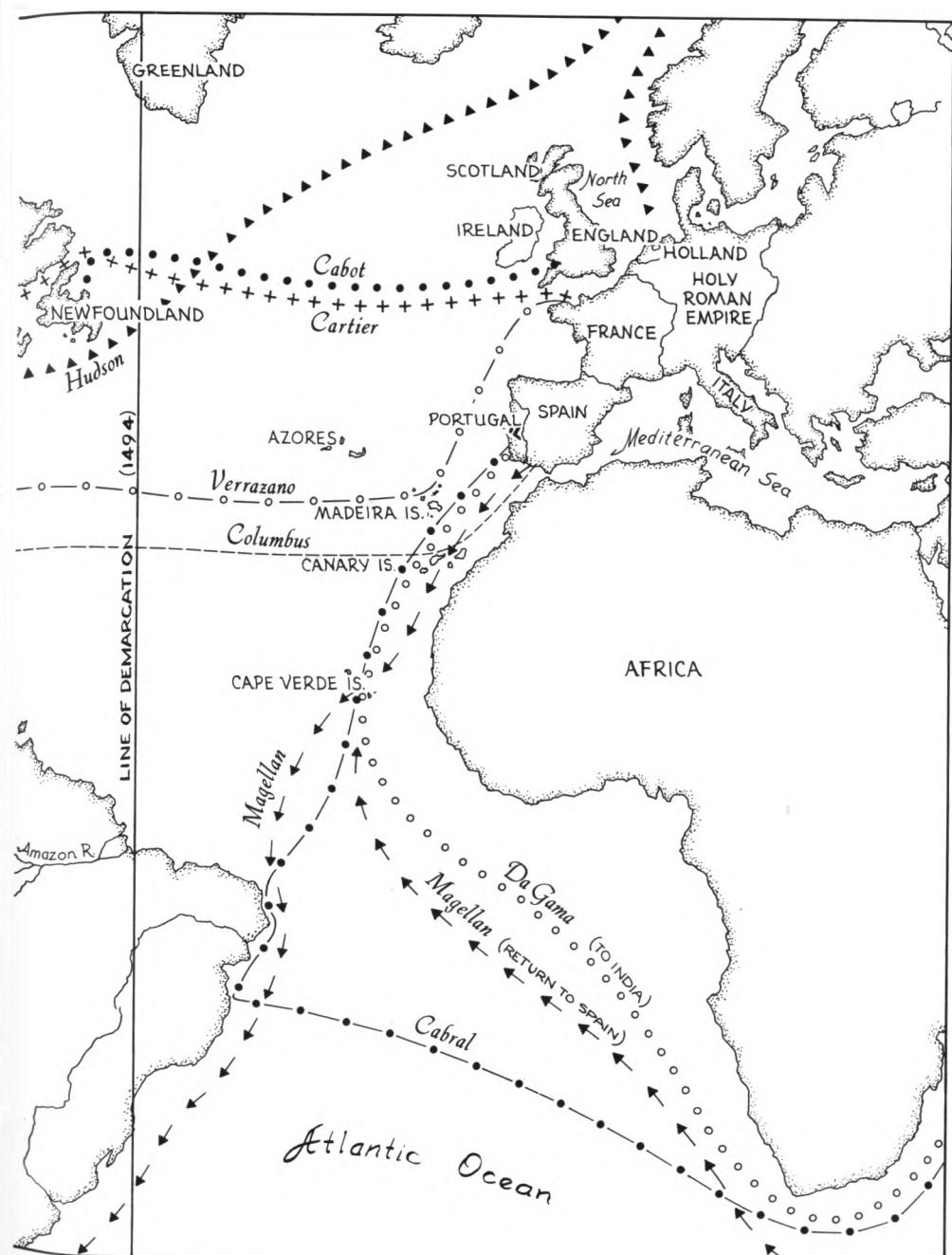
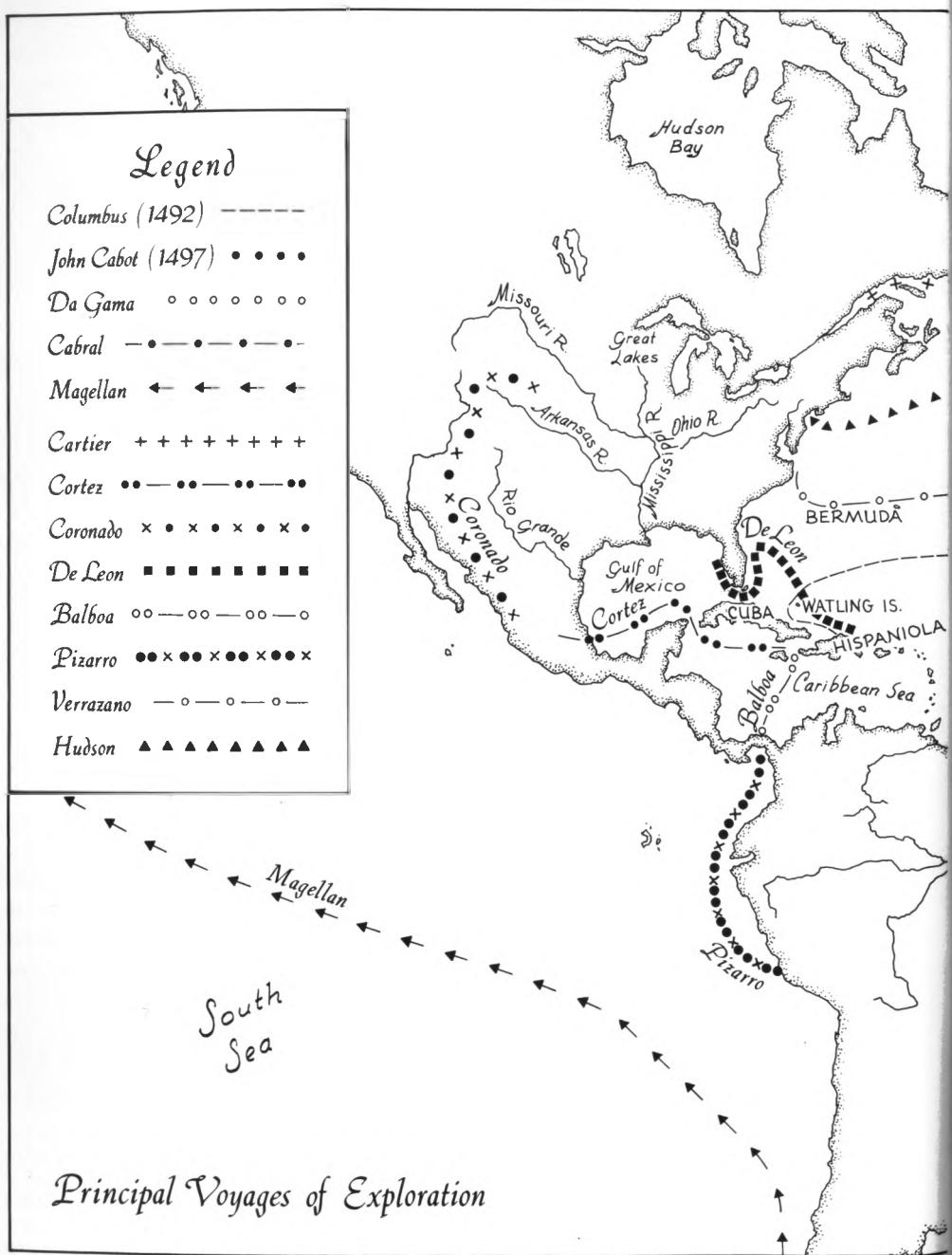
ticated discovery of the New World and led to its eventual settlement.⁴ His very first voyage gave rise to controversy between Spain and Portugal over ownership of newly discovered lands. To settle this dispute, Pope Alexander VI, a Spaniard by birth and preference, issued the bull *Inter Caetera* in 1493, granting to Spain all newly found lands west of a demarcation line running roughly one hundred leagues west and south of the Azores and Cape Verde Islands, and all east of that line to Portugal. The dissatisfied Portuguese prevailed upon Spain to sign the Treaty of Tordesillas the following year. Under this arrangement the line was moved westward 270 degrees and ultimately gave Portugal her claim to Brazil (which Pedro Cabral discovered in 1500). Both papal sanction and treaty agreement limited the ownership of new lands outside of Europe to either Spain or Portugal. Yet in spite of their early claim to America, the Portuguese played no important role in the territory that eventually became the United States.

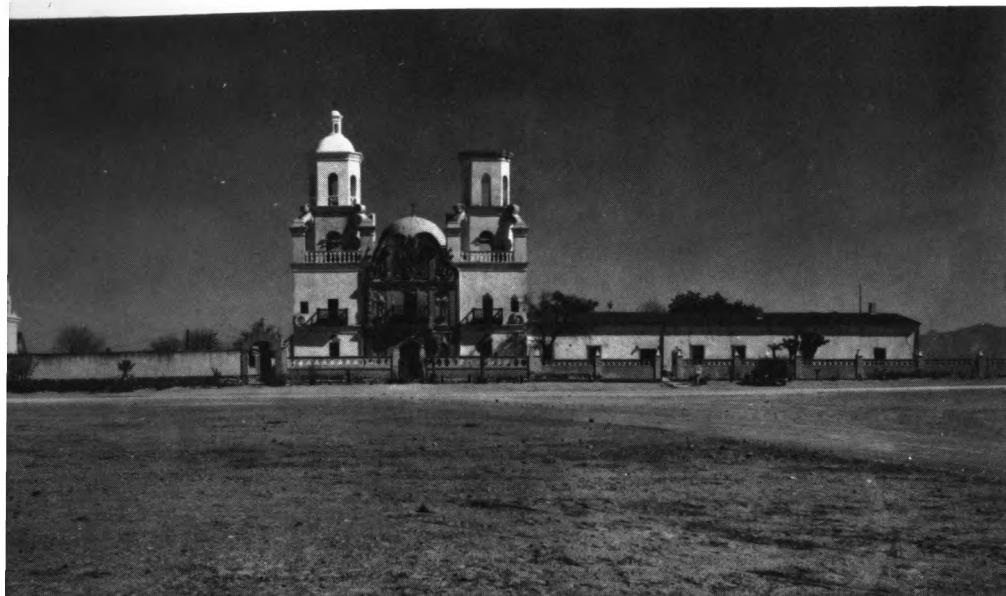
Spanish Explorations and Empire. The Spaniards actively carried on the explorations initiated by their adopted Columbus. (Amerigo Vespucci) was perhaps the first to realize (1499–1501) that it was not the East Indies but a New World that Columbus had reached, and it was a variant of his name that was given to the two continents.⁵ Yet the knowledge that it was not the Indies came as unwelcome news to Europeans, who were searching not for new territory but for a shorter route to the source of spices, precious stones, and silks. Thus, for many years after 1500 explorers from numerous countries searched for a way through or around the land barrier to the west that blocked the easy route to the Far East. It was only after such a passage was found difficult or impossible to achieve that the Europeans turned to settling the New World.

Vasco Nuñez de Balboa, by crossing the Isthmus of Panama in 1513, was the first to discover the Pacific (he called it the South Sea) from the east. In the same year (Juan Ponce de León) explored both coasts of Florida, the first Spaniard to reach what is now part of the United States. (Francisco de Gordillo) sailed northward from Florida probably as far as present South Carolina in 1521; three years later Esteban Gómez explored the Atlantic coast from Nova Scotia to Florida. One of (Fernando Magellan's ships, the *Victoria*) was the first to circumnavigate the globe (1519–1522), thereby proving conclusively not only that the earth was round but that there was a New World. In the interior of the present United States, (Hernando de Soto) during the course of a long and difficult expedition, discovered the Mississippi River (1541), and Francisco Vásquez

⁴ Many claims have been made that America was actually discovered hundreds of years earlier by the Norsemen and others. Perhaps the most concrete evidence of pre-Columbian discoveries was brought to light in 1965 with the publication of the so-called Vinland Map (see R. S. Skelton, *et al.*, *The Vinland Map and the Tartar Relation*), but even this document has been subject to attack. See also E. Reman, *The Norse Discoveries and Explorations in America* (1949). The controversy is largely academic, for even if there were pre-Columbian discoveries, they did not result in permanent settlements.

⁵ Some historians insist, however, that the name *America* was derived from Richard Amerycke, an English high sheriff of Bristol and a principal backer of John Cabot.





Spanish Mission San Xavier del Bac, Tucson, Arizona. (Courtesy of the Library of Congress)

de Coronado starting out from Mexico, pushed into what is now Kansas (1541) in an unsuccessful effort to find the Seven Cities of Cibola, supposed to contain limitless gold.

The discoveries of great wealth by Hernando Cortés in Mexico (1521) and Francisco Pizarro in Peru (1530-1532) encouraged Spain to concentrate her attention in the New World from Mexico southward, although some settlements were made in Florida and the present Southwest of the United States. In these "Spanish Indies," or New Spain, a paternalistic administration was set up long before any other European nations had permanent settlements in the New World. Notable features of this Spanish Empire were strongly centralized governments controlled by the mother country, the absence of any local representative assemblies, an effective mercantilistic system for control of trade and commerce, theoretical protection of the Indian natives, the introduction of Negro slavery, the acquisition of huge quantities of gold and silver, and, strange to say under the circumstances, the first universities in America.⁶

French Discoveries and Settlements. Although the French did not participate in fifteenth-century explorations, they did play a prominent role later on. Basques were undoubtedly active in the Newfoundland fisheries in the opening years of the sixteenth century, but France's original claim to land in the New

⁶ For detailed accounts of Spain in America, see C. H. Haring, *The Spanish Empire in America* (1948), and F. A. Kirkpatrick, *The Spanish Conquistadores* (1949).

World was based on the voyage of ~~Giovanni Verrazano~~ a Florentine in the employ of King Francis I. He sailed along the Atlantic coast in 1524, probably from the present Carolinas to Nova Scotia, discovering New York harbor en route. The French monarch, eager to weaken his Spanish rival both politically and religiously, determined to follow up Verrazano's voyage with actual settlement in territory claimed by Spain.⁷

Consequently, Jacques ~~Cartier~~ was commissioned in 1534 to find gold and "other riches" in the New World, as well as a passage to the Indies. Three voyages (1534-1542) resulted in the exploration of the St. Lawrence River as far as Quebec and Montreal, but neither wealth nor the route to the Far East nor permanent settlement resulted from Cartier's efforts.

Next were the attempts of persecuted Huguenots to establish an asylum in present southeastern United States. In 1562 Jean Ribaut failed at Port Royal in present South Carolina, but two years later René de Laudonnière established Fort Caroline at the mouth of the St. Johns River in Florida. Spain, disturbed by this encroachment and angered as well by the continued attacks of French freebooters upon her treasure ships, sent Pedro Menéndez against this outpost. He not only accomplished his objective, but also founded St. Augustine (1565)—the first town established by Europeans in what is now the United States—in order to strengthen Spanish claim to Florida by actual settlement.

Troubled by internal strife, France did nothing more until 1603, when ~~Samuel de Champlain~~ led the expeditions to the St. Lawrence that ultimately established the first permanent French colony in North America. From its capital at Quebec, New France gradually expanded along the St. Lawrence, the Great Lakes, and the Mississippi to the Gulf of Mexico, thanks to the initiative of such explorers as Jean Nicolet, Père Jacques Marquette and Louis Joliet, Father Louis Hennepin, and René Robert Cavelier (Sieur de la Salle), and government officials like Jean Baptiste Talon and Louis de Baude (Comte de Frontenac).⁸

The administration of New France was comparable in some respects to that of New Spain. There was highly centralized government of state and church, controlled from home, with no popular representation, and a semifeudalistic land policy. The economy was based on the fur trade and the fisheries, not on mineral wealth as in Spanish America. More friendly relations were established with native tribes than in the case of the Spaniards and English. The very nature of New France, with its extensive frontier and widely dispersed population, precluded the growth of culture, except in communities like Quebec.⁹

The Dutch and, naturally, the English were also prominent in exploring and ultimately settling in what became the United States. Their activities will be discussed in detail in subsequent chapters.

⁷ Francis I was specially desirous of weakening Spain because Charles I of Spain was also Charles V of the Holy Roman Empire. Thus France was threatened from both north and south.

⁸ See John B. Brebner, *The Explorers of North America, 1492-1806* (1933).

⁹ See the various works by Francis Parkman for the exciting story of New France.

Geographic Factors. From the beginning of recorded history, man has talked about his conquests of nature. Because they remain silent, the forces of nature cannot tell how they, in turn, have conquered—or certainly influenced—man. Consequently, the great importance of natural or geographic factors in history has sometimes been overlooked or disregarded.

Nature did play an important role in the early explorations and settlements of the New World. One of the first objects of nature that faced exploring Europeans was the Atlantic Ocean, approximately three thousand miles wide. Across it were a number of natural steppingstones that enabled seamen to span it in shorter hops. The Norsemen—the first, according to some historians, to reach America—used the steppingstones of the North Atlantic: the Faroe Islands, Iceland, and Greenland; and in sailing from one to another, a sea voyage of not more than about six hundred miles was required. But nature also placed certain obstacles in their path. As the ocean currents and winds flow and blow in an easterly direction, such a crossing was difficult and hazardous in the days of small and frequently unseaworthy sailing craft.

Therefore, the sailors from southwestern Europe usually followed in the wake of Columbus by taking the so-called southern route, which likewise had its steppingstones: the Madeira Islands, the Canaries, the Cape Verde Islands, and the West Indies. The longest span was the last—about a thousand miles of open sea. The greater distance involved in this crossing was offset by the fact that nature blessed it with the trade winds, which blow from northeast to southwest. Throughout most of the colonial period many English, Dutch, and French ships followed this course. Consequently, the West Indies, with its closer proximity to Europe, its fertile soil, and its semitropical climate, became a natural arena of conflict among several nations.

Running northward from the Gulf of Mexico and close to the West Indies is the favorable Gulf Stream, which flows along the coast of the present United States approximately to New England. From there the winds and currents lead back to Europe. Thus a natural current makes its course from Europe to the West Indies and thence to the scene of the first English settlements in America.

The Atlantic Ocean played another role as well. It gave the settlers of the New World a feeling of security in respect to the wars and other troubles of Europe. It also compelled the colonists to be more self-reliant, because they could not count upon receiving food and other necessities of life from abroad.

Off the Atlantic coast is the continental shelf, which is broadest off the Gulf of St. Lawrence, New England, and Florida. It was most important to the colonist in the North because the rivers flowing over this shelf deposit large quantities of organic matter. These deposits, plus the cold ocean currents, attract many kinds of fish, and thus provided food, work, and wealth to many Europeans and New Englanders. This natural bounty was to be, like the West Indies, a source of international conflict for several centuries.

Nature provided many methods of ingress to what is now the United States. The Atlantic coast has numerous natural harbors, which gave easy access to colonizers and helped to determine where they settled. Only present New Jersey

and North Carolina—the latter called the “graveyard of the Atlantic”—were difficult to reach by sea, and for this reason were colonized chiefly from neighboring settlements. More readily accessible were the Cape Cod area, the regions protected by Long Island and Staten Island, Delaware and Chesapeake Bays, and the vicinity of Charleston, South Carolina. Moreover, a number of navigable rivers flowing into the Atlantic Ocean directly or indirectly led into the interior, among them the Connecticut, the Hudson, the Delaware, the Potomac, and the James. Their banks also furnished good locations for early settlements.

Nature gave the region of the Atlantic seaboard a relatively mild, variable, and healthful climate. Its location in relation to the equator determines its moderate temperature, which, with abundant rainfall, promotes the health and growth of human, animal, and plant life. In colonial days there were but few areas in which diseases, notably fevers, were prevalent. Indeed, many contemporary accounts constantly referred to the “salubrious climate.” Climatic conditions are quite similar to those in Europe, making adaptation a comparatively easy process.

There are geographic variations within the limits covered by the thirteen original colonies or states. The coastal plain, or Tidewater (extending into the interior as far as the ocean tides), varies in width. It is narrowest—approximately fifty miles wide—in New England and gradually broadens as it extends southward to about two hundred miles. The “gallant soil” is fertile, but thin, and generally free of sand and loam. Little clay is to be found, except in New England and parts of Virginia.

The land in most of New England and parts of New York is filled with rocks, and the uneven terrain, together with short summers, made extensive agriculture difficult. On the other hand, the proximity of the mountains to the coast furnishes abundant waterpower at the “fall line” for manufacturing. In the South the broad Tidewater, the longer growing seasons, the more fertile soil, and abundant rainfall combined to make farming the major occupation. Detrimental were the thin soil, which wore out quickly, and the level terrain, which sometimes caused drainage problems and developed swamps, as around Charleston, South Carolina. The area between New England and the South has characteristics of both. In all three areas the climate and soil affected the type of crops grown. For example, the middle area was well adapted to wheat; the South to tobacco; and parts of South Carolina to rice and indigo.¹⁰

The Tidewater contained many forests, usually of the softwood variety, such as pine. The trees were easy to cut and furnished the basis of several major industries, notably lumbering, shipbuilding, and naval stores. Very few minerals were found in the Tidewater during colonial days, iron being the most important. Stone for building purposes was also scarce, except in New England. The readily available wood and the absence of stones affected the architectural development of the early colonies.

At the western extremity of the Tidewater is the fall line, where rivers and

¹⁰ See Chapter 20 for a detailed account of colonial agriculture.

streams, flowing eastward, drop from the Piedmont, or back country. The resultant falls were important for two reasons: they provided waterpower for the towns that naturally sprang up at such sites, and they impeded movement into the back country of settlement, commerce, and European influence.

The Piedmont, or foot of the mountains, is, like the Tidewater, narrow in the northern area and broad in the southern; in fact, it is about the same width as the Tidewater—fifty to two hundred miles. This section is higher and contains more rolling land, rising from several hundred to as high as two thousand feet. Rainfall is more abundant, but the climate several degrees cooler, making the growing season a week to a month shorter than along the coast. The soil is generally more fertile and of greater variety; there is a limestone base from Pennsylvania northward, and sweet clay to the south, though some southern sections have red clay, which is difficult to cultivate. All these factors contributed to the kind of crops grown. Farming suffered somewhat from the sloping terrain, which allowed water to run off. On the other hand, the Piedmont provided excellent pasture for livestock.

The more abundant forests of the back country furnished harder woods than were found in the Tidewater. The trees were more difficult to clear, but they provided complementary woods for the lumber industry. Minerals were in greater abundance: iron, copper, and coal in particular, although the latter was not in great demand during colonial days because of the abundance of wood for fuel. The rivers of the Piedmont generally run east; those in the north, such as the Hudson, provide navigation into the interior, as well as power; those of the south do not run through the higher mountains, so access to the west is through valleys and gaps.

There are two mountain chains at the western limit of the Piedmont, both running northeast to southwest. Like both the Tidewater and the Piedmont, these chains are widest in the south. The Appalachians proper extend from Newfoundland to Alabama and are more rugged; the highest peaks, rising approximately six thousand feet, are in New Hampshire and North Carolina. The other chain, the Allegheny, runs from the Catskills in New York to northern Alabama and has gentler slopes. Between these two chains is a series of fertile valleys; with the exception of the Mohawk Valley, they run north and south, a notable example being the Shenandoah. The soil in these valleys is varied and even more fertile than in most of the Piedmont; indeed, it has been called the finest in the eastern United States. Nevertheless, it was difficult to cultivate because of the sloping terrain. No extensive fields were possible under the circumstances.

The forests of the mountains and intervening valleys were broad, with hardwood trees predominating. The rivers flow both east and west from this "continental divide," and thus played a prominent role in the future settlement of the West. The mountains themselves did retard some settlements in the trans-Appalachian region, and deflected others, but other factors were probably more important in slowing the westward movement. These two chains also were to be important in Indian relations, especially after 1763.

Thus, geographically, the early settlers were afforded many different types of

soil, climate, forests, terrain, and waterways in the eastern part of the present United States. As will be shown in later chapters, all these natural factors were important in determining the way of colonial life.¹¹

Wilderness Factors. Although geographic factors played a major role in the historical development of all the colonies—more in some than in others—another very significant force, especially in the early years of settlement, was the existence of an almost unbroken, unlimited, and unknown wilderness, which proved both a blessing and a curse to the colonists.

Early explorers and later visitors were impressed by the beauties, wonders, and abundance of this wilderness. Verrazano, in 1524, was charmed by the “many faire fields and plains, full of mightie great woods . . . with divers sorts of trees, as pleasant and delectable to behold, as is possible to imagine.” Arthur Barlowe, in his report to Walter Raleigh in 1584, referred to the delicious odors of the bay trees, to the “highest Cedars of the world,” to oaks “farre greater and better” than any in Europe, and to pine, cypress, and other “sweet smelling” timber trees. Scores of printed travel accounts refer to the forest resources in glowing terms. Janet Schaw, writing in the 1770’s, described the magnificent trees, “which might adorn the palaces of kings,” and “the noble Magnolias” that resembled “the Glory of a full spread oak covered with white roses.”

The most serious problem confronting the early settlers was procuring food, clothing, shelter, and tools. After bitter experience, especially in Virginia and Plymouth, and to a lesser degree elsewhere, the colonists learned that only a few of their “supplies” could be obtained from the mother country—for such obvious reasons as distance, smallness of ships, slowness of transportation, poverty of the people in America, and indifference of those back home. Naturally, the settlers came to rely upon the resources at hand, and they found that the wilderness could supply most of their imperative needs.

Rivers, streams, and the nearby ocean furnished a great variety of food: fish of many kinds, oysters, and clams. Barlowe found the waters “alive with the goodliest and best fish in the world.” The forests abounded with animals the settlers found both useful and destructive: rabbits, squirrels, raccoons, beavers, foxes, buffalo (“the largest wild beast of the forest, monstrous, strong and swift”), elk, deer “in great plenty,” and bears, which were “very common.” There were many comments in contemporary writings, such as that of the Moravian diarist: “A deer was killed and was very welcome . . . for we had little food left”; and a traveler in Maryland reported that his host had thirty pieces of venison hanging in his smokehouse.

The whole region from Maine to Georgia teemed with wild fowl, especially turkeys “in flocks of 500 or more,” quail, geese, ducks, pheasants, and wild pigeons so numerous that, according to one observer in the early eighteenth century, they would fly “one flock after another far above a quarter of an Hour

¹¹ For more complete accounts of geographic conditions and influences, see Ellen C. Semple, *American History and Its Geographic Conditions* (1933), and R. H. Brown, *Historical Geography of the United States* (1948).

together." A Moravian diarist in 1753 recorded that a small group of hunters killed eighteen hundred wild pigeons in one day.

In addition to the easily available fish and meat procured from the streams and forests, the woods and fields abounded in such wild fruits and nuts as crab apples, plums, and walnuts. Mulberries were used by many settlers in place of raisins; strawberries were found "not only large, sweet and good, but in as great plenty as in any part of the world"; raspberries and huckleberries were to be had almost everywhere, and grapes "in great profusion."

The forests also supplied abundant food for hogs, horses, cattle, and sheep—acorns, nuts, berries, and fruits. These enabled the colonists to raise large "droves of hogs" at small cost, and to support livestock generally with a minimum of expense.

The scarcity of clothing and household necessities was partially relieved by the use of skins and furs, from which many useful articles could be made: caps and hats from the skins and furs of deer, raccoon, and beaver; shoes, gloves, and leggings, as well as robes, rugs, and bed coverings from bearskins; lanterns and powder horns from buffalo horns; oil from bear's fat; and "incomparable fine candles" from deer tallow.

The forests likewise supplied the settlers with fuel, materials for houses, barns, and other buildings, furniture, carts, wagons, carriages, and other "pleasure vehicles," tools, and boats. The pine, the "most useful tree in the woods," and the oak, of which there were at least a dozen varieties, furnished most of the building materials: boards, clapboards, shingles, and staves, as well as barrels of different sizes and names (casks, barrels, and hogsheads being the three most common). Red cedar, found in profusion, was used for sills, boards, and baskets; cypress, especially in the Southern colonies, and cedar generally, for making cupboards, drawers, and chests; walnut, maple, sweet gum, and sycamore, for several "domestick necessities" such as "wainscot, Tables, Chairs, Trenchers, Desks, Stocks for guns and the like"; and maple for spinning wheels and flax wheels. Black dye was made from walnut, alder, and gallberry; yellow dye from certain wild flowers. Berries of bay and myrtle were used for making candles. Scores of medicinal herbs went into "household remedies," and various roots and herbs were substituted for tea.

Permanent settlement would have been almost impossible without the varieties of food, the animal skins for clothing, and the materials for building and for fuel that the woods and waters furnished. The presence of these commodities, especially the almost unlimited food available in the forests, also enabled pioneers to push into the wilderness and prepare the way for civilization.

"Forest industries," notably lumbering, shipbuilding, naval stores, and potash, were developed in all the colonies to some extent. And if one could ascertain the figures for all lumber used, it would probably rank as the leading colonial industry. Lumbering certainly became one of New England's major industries, and naval stores—tar, pitch, rosin, and turpentine—became the leading industry of North Carolina and was very important in the other Southern colonies.

The location of the colonies along the Atlantic seaboard and the vast number

of navigable inland waterways, plus the great abundance of shipbuilding materials and naval stores, led to extensive shipbuilding from an early date. New England led in this respect, but the industry flourished in several other colonies to a greater extent than is commonly believed.

Most settlements in the early days were on or near a watercourse, and, quite early, planters built "very necessary Vessels for carriages of the commodities by water." Most of the sloops, schooners, brigs, brigantines, and other sailing craft had white oak timbers for the framework and flooring, and masts, spars, and yards were made from tall, straight pines or cedars.

Problems of Birds and "Beastes." Although the birds and the "beastes" of the forest supplied much of the food and many of the necessities of the settlers, they also posed a problem for the farmer. Wild turkeys, in particular, were "great destroyers of pease, wheat, and Indian Corn." Parakeets frequently ruined whole apple crops. Foxes, raccoons, mink, weasels, and hawks killed many chickens. Eagles were "very destructive of Poultry, Lams, young fawns, and pigs." Bears were "great devourers of Swine and also of potatoes, which they could root out of the ground." A colonial writer estimated that "every grown wolf" did twenty to thirty pounds' worth of damage to crops yearly.

The destructive habits of wild animals were a constant cause of concern to the people and to colonial officials. As late as 1753 the leader of the Wachovia settlement in the North Carolina back country wrote that "wolves and bears must be exterminated if cattle raising is to succeed." Laws were enacted in almost every colony for "the extermination of vermin," and rewards were offered for their scalps, though this by no means eliminated these crop pests.

In spite of the destructive activities of birds and beasts, the importance of the woods and waters cannot be overestimated in the history of colonial America. Without the many commodities they furnished the settlers, it is doubtful whether success would have attended any of the colonizing efforts.

Indian Tribes in the East. Indians played an important part in the lives of the settlers in the New World. There were an estimated 125,000 to 200,000 natives in the region east of the Mississippi when the first white men landed along the Atlantic coast. This number remained fairly static until the American Revolution, for European diseases and wars with the white invaders offset natural increases in population. In the main, the tribes with whom Europeans came into contact during the colonial period were not nomadic in the sense that those west of the Mississippi were.

There were four main Indian groups residing between the Atlantic and Mississippi, which were set apart by language differences. The largest group was the Algonquin (also spelled Algonkian and Algonquian), which controlled most of Canada, all of the New England region, and most of the Ohio Valley, with scattered offshoots in eastern Pennsylvania, part of New Jersey, and throughout Maryland and Virginia. Included among the Algonquin were the Mohegan, Narragansett, Pequot, Lenni-Lenape or Delaware, Pamlico, Powhatan, Shaw-

nee, Illinois, Kickapoo, and Miami. This whole group generally dwelt in the forests, and its customs and manners were those described by writers as typical of the American Indian. The French quickly made friends with the Algonquin, who were the great enemies of the Iroquois.

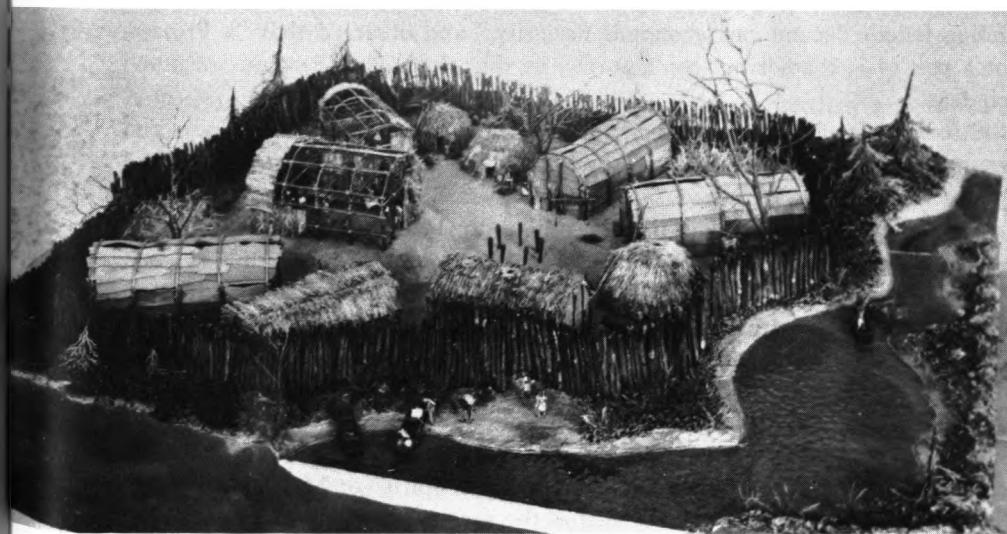
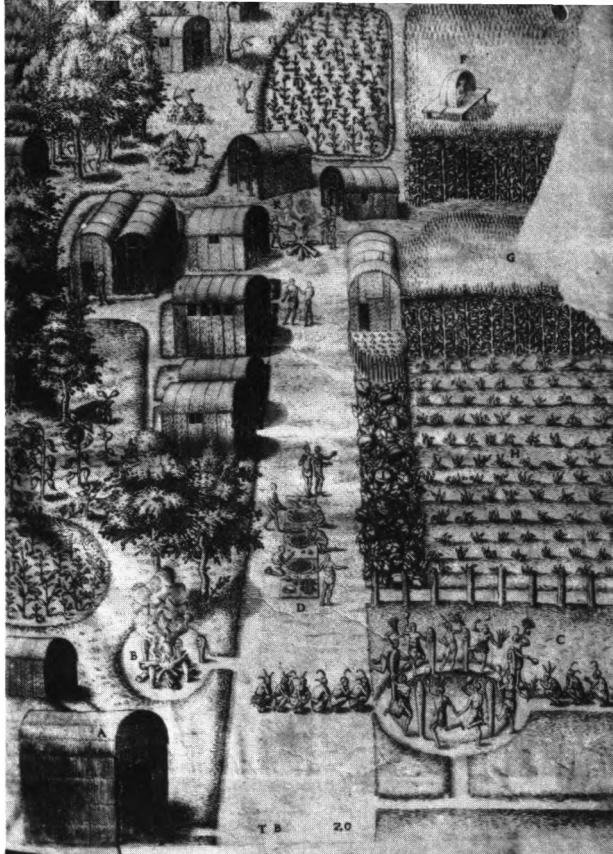
The Iroquois had originally been the victims of stronger neighbors, but in the fifteenth century they consolidated into a powerful confederacy, the Five Nations, consisting of the Cayuga, Mohawk, Oneida, Onondaga, and Seneca. They gradually came to dominate central New York, a strategic location in connection with the fur trade. Their enmity toward the French, and their resultant friendship first with the Dutch and then with the English, played an important role in international affairs. Strong politically but weak culturally, the Iroquois were noted for their fighting ability and gradually extended their control over western Pennsylvania and into the Ohio Valley. Widely separated geographically from the main group were the Cherokee in the southern Appalachians and the Tuscarora in eastern North Carolina. The latter, incidentally, moved north after their defeat by the whites in 1713, joining their brethren in New York to form the Six Nations.

The third language group was the Muskhogean, consisting of the Alabama, Apalachi, Chickasaw, Choctaw, Creek, and Seminole. Their center of strength was Georgia, but their influence extended into Alabama, Mississippi, Tennessee, and northern Florida. The Siouan was the fourth group; its major tribes were west of the Mississippi, but the Catawba were to be found in the Carolina Piedmont.

How the Indians Lived. Indians, regardless of their language group, lived in tribes, and every tribe had a chief or headman, sometimes called a king by the English. The tribes in turn were divided into clans, which were based on blood relationship, following the matrilinear line. Each clan had a totem, generally symbolizing an animal.¹ In each clan there were two important officials: the sachem, who served as administrator and judge and represented the clan in the tribal council; and a chief, usually one for each fifty members, who was chosen on the basis of military prowess. The tribal council could be attended by all tribal members, including women, who could participate in the debates; but only the council—the sachems and sometimes the chiefs—could vote. This council dealt with matters of outstanding importance, such as decisions on war and peace and on relations with other tribes and with the white men. There was also a clan council, made up of all free adults, which operated in fairly democratic fashion. It could elect—and depose—sachems, decide on clan matters, dispense justice, avenge murders of fellow-clansmen, and adopt new members. Some tribes also had a brotherhood or phratry, consisting of several clans; it was primarily religious and social in its functions.

Within a tribe there was practically no private ownership. Land and property were held in common. This helps to account for discontent among the members when a chief, on his own initiative, signed away tribal lands to the whites.

The Indian village of Se-cota in the present North Carolina. (Painted by John White, Courtesy of the University of North Carolina Library)



Model of an Indian village. (Courtesy of North Carolina State Department of Archives and History)

For protection, and perhaps for social, economic, and religious reasons, most Indians lived in villages. In some tribes they dwelt in tents made of animal skins, tied or woven together. Such tents were generally round, not conical as tradition has it. In other tribes, notably those of the Iroquois Confederacy, there were "long houses" or huts, with more than one family occupying these large structures.

Cooking was crude and primitive. Meat was commonly placed upon sharp sticks and broiled over a fire, and roasting food in hot ashes was prevalent practice. "How They Boil Meat," "How They Cook Their Fish," "How They Eat" have been preserved for posterity in the paintings of John White and other artists of the colonial era. Food included meats of various kinds procured from the forests, particularly deer, bear, and rabbits, as well as birds, fowl, and fish. There were also many vegetables, notably corn, potatoes, beans, and peas, and fruits were available in abundance.

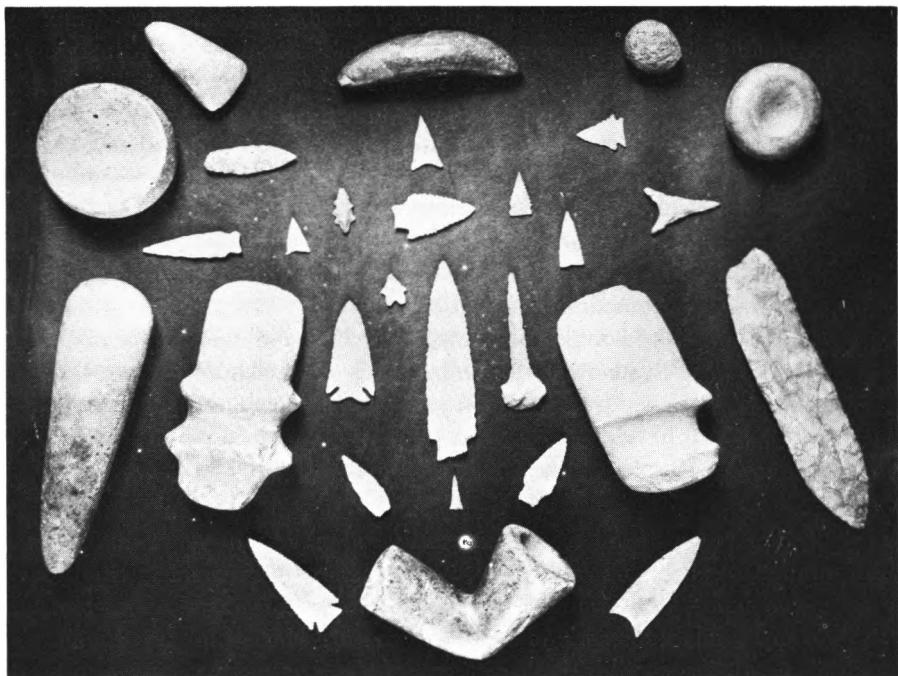
In many tribes the women did most of the planting, cultivating, and harvesting. They also cooked, made clothes, wove mats and baskets from grass, reed, and rushes, and cared for the children. The primary pursuits of the men were hunting, fishing, and fighting. They hunted with bows and arrows, tomahawks, spears, knives, and clubs—and later with guns obtained from white traders. The average Indian was a most skillful woodsmen; indeed his livelihood depended on his knowledge of the forest. Dugouts were made of trees hollowed out by burning; canoes were also fashioned out of tree bark.

As a rule, women were held in high esteem, monogamy being practiced by most tribes. The Tuscarora and a few others, however, were noted for their "trade women." William Byrd II of Virginia declared that the services of an Indian female became an "economic necessity," and observed that "a Princess for a pair of Red stockings can't, surely, be thought buying Repentence much too dear."

"Medicine men" were skilled in the treatment of some types of illness and wounds with herbal medicines and by "conjuring." A few Indian villages had "sweat houses"—the Indian version of physiotherapy. When smallpox epidemics raged, however, many Indians died because, after being sweated, they plunged into cold streams.

The intellectual achievements of the Indians were not great. Even the most advanced tribes had not progressed beyond picture writing. Their traditions were passed on orally from generation to generation. Their music, usually religious in nature, was conspicuous for its lack of harmony. Yet their pottery, weaving, and other decorative arts had a beauty absent in other phases of their lives.

Religiously, the Indians believed in one "Great Spirit" or Manitou, but they also worshipped numerous others, such as the sun and the moon, to which they attributed good and evil. They also believed in a life after death, which would be spent in the "Happy Hunting Ground." A medicine man or shaman was an influential figure, for, as a friend of Manitou, he had the power to drive out evil spirits that caused illness. Some natives were eventually converted to Christian-



Types of Indian stone implements. (Courtesy of North Carolina State Department of Archives and History)

ity, taking a great interest in the "white man's religion," though they found it difficult to reconcile Christian teachings with some of the settlers' actions.

Relations Between Indians and Whites. For a few years after European settlement of the New World began, relations between Indians and whites were relatively peaceful, though there were minor conflicts resulting in the death of a few individuals on both sides. Many writers have asserted that the Indians were charmed by their first sight of the "pale faces" and their sailing craft—that they considered the whites as "temporary god-like creatures." There may have been grounds for this assertion in some colonies, but only for a short period.

The aggressive, if not contemptuous, attitude of the whites and the resulting resentment of the natives, coupled with conflicting and irreconcilable interests, made hostilities inevitable. The tribesmen faced the problem of survival, both as a race and as individuals. From the settlers' point of view, it was a contest between "civilized man" and the "savage," between the "Christian" and the "heathen." Many colonial writers praised the physical prowess, courage, endurance, and patience of the natives, but most contemporaries described them as filthy, cunning, treacherous, deceitful, and cruel. John Lawson, writing in 1709, said that the whites were inclined to look upon the natives "with disdain and

scorn, and think them little better than beasts in human form." Lawson and Thomas Nairne of South Carolina, who held the Indians in higher esteem than most colonial writers, were both killed by natives.

Most missionaries and many fur traders were friendly to the tribesmen for obvious reasons, but the rank and file of settlers—farmers engaged in clearing land and converting the wilderness into an agrarian civilization—were their mortal enemies. White leaders in various colonies regarded the Indians as "vermin," to be exterminated along with bears, foxes, and other "beastes" of the forest. Several colonial legislatures authorized rewards for Indian scalps, and prisoners of war were sometimes sold into slavery.

The major source of conflict between the Indian and the European settler was the land itself. Private ownership in land was not recognized by the Indian; thus, when a chief signed a treaty (always written by a white man), he had no idea of what he was bartering away. It seems quite clear that the Indian leaders thought they were simply surrendering the land during the lifetime of the white purchaser, so that the land would revert to the tribe upon his death.

In general, the European settlers did not recognize Indian title to the soil (although Roger Williams and a few others perhaps did), despite the fact that the king and Privy Council insisted this title must be "extinguished." The easiest course was to extinguish the natives, and this is precisely what the whites did in many instances. There is much truth in the statement that, when the English landed in America, "they fell on their knees and then on the aborigines." The natives resented white encroachment on their hunting grounds, very wisely believing that the newcomers would soon proceed to take possession of all their lands.

When settlers purchased lands and made treaties with the tribal leaders, it is revealed by various contemporary reports and colonial court records that they often failed to pay what the natives asked. Time and again Indian chiefs made protests, such as the charge in 1701 that the English were "very wicked people" who had "threatened the Indians for hunting near their plantations." And in 1710 the Tuscarora of North Carolina sent a memorial to the governor of Pennsylvania, objecting to the seizure of their lands and enslavement of their people. A major grievance was the white practice of kidnapping Indians, particularly women and children, which was done so extensively in Carolina that the Pennsylvania legislature of 1705 passed a law against "the further importation of Indian slaves from Carolina."

Scores of colonial writers emphasized the "sharp" and "irregular" practices of whites who dealt "too hard" with the natives and cheated them in many ways. William Byrd II of Virginia said: "These petty Rulers don't only teach the honest Savages all Sorts of Debauchery, but are unfair in all their dealings, and use them in all kinds of Oppression." He maintained that they had abused the Indian women and mistreated the men "until the Indians grew very weary and tired of the Tyranny and Injustice with which the whites treated them and resolved to endure the bondage no longer."

Contacts between Indians and whites brutalized both races, but the Indians

naturally suffered more. They took more readily to the vices than to the virtues of the settlers, who taught them to use "firewater," introduced smallpox and other "white men's diseases" that they were unable to combat, enslaved many of their children, and, in some instances, "debauched their women."

Indian Contributions to American Civilization. Indians affected the course of settlement in many ways. They played a significant role in the fur trade, especially in its intercolonial and international phases. From the Indians the settlers learned the techniques of wilderness warfare, as well as methods of fishing, trapping, and dressing furs and skins. Indians taught the whites their methods of clearing land, hill cultivation, and fertilization, and contributed such crops as corn, tobacco, potatoes, various vegetables, and many varieties of fruits and berries. Cultural contributions were made in the form of Indian words, myths, legends, and traditions.

In the field of politics and diplomacy, the role of the native was particularly important. He has been called "the pawn on the chessboard of early American history." Some tribes and confederacies were friendly or even "tributary" to the English; others were "enemy Indians." The attitude of the Indian was most significant in intercolonial relations, particularly in boundary disputes among various colonies, such as "betwixt Virginia and Carolina." In the international rivalries and conflicts of the colonial era, it was a matter of grave concern whether they were allied with the English or with the French and Spaniards. In addition to all these Indian contributions to white culture, a permanent influence has been the preservation of thousands of Indian place names for rivers, lakes, towns, counties, and even states.

THE BEGINNING OF ENGLISH COLONIZATION



The division of undiscovered areas of the world exclusively between Spain and Portugal did not long remain unchallenged. England, like France on the verge of becoming a strong nation, was not content to see Spain reap all the rewards from New World discoveries and colonization. Thus, within a few years after the papal bulls and the Treaty of Tordesillas, adventurous sailors under the English flag were trespassing on Spanish preserves in search of more lucrative fishing sites or a shorter route to the Indies.

The Cabot Voyages. As early as 1480 English expeditions were sailing westward in quest of new islands and fishing grounds. The real beginning of the English challenge to this Spanish monopoly, however, came in March 1496, when Henry VII, the first Tudor monarch, issued a patent to John Cabot and his three sons

to sayle to all Portes, Countreys, and Seas, of the East, of the West, and of the North . . . to seeke out, discover and finde, whatsoever Iles, Countreyes, Regions, or Provinces of the Heathennes and Infidelles, whatsoever they bee, which before this time have been unknown to all Christians.

Cabot, Genoese by birth and Venetian by naturalization, had long been interested in finding an all-water route to the Indies, hoping, as he said, to reach "the island of Cipango [Japan] and the lands from which Oriental caravans brought their goods to Alexandria." After several futile efforts to obtain financial assistance in Spain and Portugal, Cabot and his family settled in Bristol, England, about 1490. The merchants of this important port had long been interested in a project such as Cabot proposed and therefore were ready to bear the expenses of his famous voyage, which gave England its claim to the New World.

With one small ship and a crew of eighteen, Cabot sailed from Bristol in May 1497. He crossed the Atlantic four hundred leagues "north and west of Ireland," and in June landed somewhere in the vicinity of Cape Breton Island—the first authenticated landfall on the North American continent. His expedition then sailed southward for about three hundred leagues along the "barren shore" of a

"wooded coast." The fragmentary records of this momentous voyage reported nothing about seeing inhabitants, but did give an account of "notched trees, snares for game, and needles for making nets," as well as of "monstrous lumps of ice floating in the sea."

Early in August Cabot was back in England, where he received an enthusiastic reception. A Venetian in London wrote: "They pay him great honour, and everyone runs after him like mad." The frugal king granted "To hym that found the new isle, 10£," as well as an annual pension of £20. Apparently, Cabot led a second expedition to the New World in 1498. As he never returned, it is not known what he may have discovered, though some writers have made the undocumented assertion that he sailed as far south as the present South Carolina.¹

England's Apparent Lack of Interest in America. England failed to follow up Cabot's discovery of America with actual settlement for nearly a century, in contrast with Spanish colonization immediately after the Columbian voyages. There were many reasons for this delay and apparent lack of interest in overseas expansion. Because Cabot had failed to find gold, silver, or other valuable commodities, his voyage was considered a failure by many Englishmen. Also, England was still feeling the effects of the Wars of the Roses, which had ended with seizure of the throne by Henry VII (1485-1509). The primary concern of this first Tudor monarch and his son, Henry VIII (1509-1547), was to strengthen the royal power, and both rulers were relatively short of funds. Nor was the international situation auspicious for English colonization. Henry VII did not wish to offend Spain, particularly at a time when negotiations were under way for the "Spanish marriage" of his son to Catherine of Aragon.

All the Tudor monarchs prior to Elizabeth were preoccupied with English and continental affairs—political, economic, and religious. They were not wholly indifferent, however, to overseas expansion. They realized the significance of the shift of the center of commercial gravity from the Mediterranean to the Atlantic and the impact this would have on their island kingdom. England also began to change from an agricultural to a commercial nation, with steadily increasing emphasis on sea power. Every Tudor monarch worked to develop the English navy and merchant marine. Henry VII gave bounties for shipbuilding, promoted the science of navigation, and negotiated numerous commercial treaties. Henry VIII used part of the revenues from the sale of confiscated monastic lands to improve naval construction and armaments. It has been said that "of all English kings he stands foremost as the monarch of the sea . . . he gradually built up a fleet the like of which the world had never seen . . . he effected the momentous change from an ancient to a modern fleet." He likewise appointed merchants to high office and called upon them for advice, so that they became "the rival of cardinals and nobles."

¹ Cabot's son Sebastian was also reported to have searched for a northwest passage to the Indies in 1509. Again there is no proof of this voyage, but if it was made, it would show that England knew the "new found land" discovered by Cabot in 1497 was not part of the Indies.

The king also sanctioned several voyages of exploration: those of Albert de Prado and John Rut to the West Indies and Newfoundland in 1527, and that of Robert Hore to Newfoundland in 1536. But trade, not colonization, was their major objective. In the 1530's William Hawkins traded with Guinea and Brazil. A serious depression in the cloth industry led many merchants to seek new markets, particularly in Russia, the Baltic region, the Mediterranean countries, and Persia. In 1551 commercial contacts were established with Morocco, and two years later with West Africa.

England's Change of Heart. The accession of Queen Elizabeth (1558-1603) inaugurated a new era in English history. For the first time English writers published histories, poems, dramas, and promotional tracts about America and urged its colonization. Many companies were organized to carry on increasing trade with the Old World. A bitter rivalry developed with Spain, which led to an undeclared war for almost two decades, culminating in open conflict and defeat of the Spanish Armada in 1588. Serious efforts were made to colonize Ireland, and, finally, there were the first English attempts to plant colonies in the New World.

Although the first use of the word *America* was by John Rastell in his play, *A New Interlude* (1517), English writers seldom mentioned the New World prior to 1550. Then Richard Eden, "the first expansionist English writer," published *A Treatyse of the Newe-India* (1553) and *The Decades of the New World* (1555), in which he indirectly encouraged his countrymen to emulate Spain by describing the wealth she was obtaining from her American empire.² Thomas Hacket published a poem describing "the glysteringe gold, and it for tryfels sell" in the New World; and John Frampton, in *Joyful Newes out of the New Founde World* (1577), urged Englishmen to learn about the "precious new remedies for disease," such as gum, balsam, and sassafras, to be found across the Atlantic.

(The change in English attitudes toward colonization was the result of many factors: increasing nationalism, commercial expansion, international rivalries, religious changes as a result of the Protestant Reformation, and an intellectual renaissance.) The rise of a spirit of nationalism, which promoted the evolution of national states headed by strong monarchies, was characteristic of western Europe in the sixteenth century. The gradual strengthening of the power of the crown under the Tudors in England was accompanied by the rise of both the middle class of the towns, dominated by merchants and manufacturers, and the "sturdy yeomanry" of the rural regions.³ Both of these groups were loyal

² *The Decades of the New World* was Eden's translation of the first part of Peter Martyr d'Anghiera's account, *De orbe novo decades*. Thus Englishmen for the first time could read about the vast wealth of gold and silver Spain had acquired in America.

³ For additional reading on this period of English history and for the Tudor period as a whole, see G. R. Elton, *The Tudor Revolution in England* (1953); James A. Williamson, *The Tudor Age* (1953); A. L. Rowse, *The England of Elizabeth: The Structure of Society* (1951) and *The Expansion of Elizabethan England* (1955).

to crown and nation, ardent supporters of state and church, and of king as personification of both. As A. F. Pollard has written:

Men paid to the new Messiah the worship they owed to the old; they reaped their reward in riches and pomp and power. . . . To them there was nothing strange in the union of Church and State, and in the supremacy of the king over both. . . . They were consumed with the idea that the State was the end and crown of human endeavor; it became their idol and their ideal. . . .

The spirit of nationalism was also reflected in much of the writing of the “golden age of English literature,” and it would be difficult to find a better illustration of flamboyant patriotism than in the following passages from Shakespeare:

This England never did, nor never shall,
Lie at the proud foot of a conqueror,
But when it first did help to wound itself . . .

Come the three corners of the world in arms
And we shall shock them; nought shall make us rue,
If England to itself do rest but true.

And Michael Drayton, in *England's Heroical Epistles* (1597), wrote:

A thousand kingdoms will we seek from afar,
As many nations waste in civil war;
Where the dishevelled ghostly sea-nymph sings,
Our well-rigged ships shall stretch their swelling wings,
And drag their anchors through the sandy foam,
About the world in every clime to roam;
And then unchristian countries call our own
Where scarce the name of England hath been known.

The Commercial Revolution. The shifting of commercial centers from the Mediterranean to the Atlantic had a profound and permanent effect on the nations of western Europe. This revolution coincided with the Tudor era in England (1485–1603), with its rising nationalism, strong monarchy, and developing maritime and naval power. The Elizabethan Age in particular was characterized by a new outburst of maritime activities, by the development of skill, energy, and daring of English seamen, and by tremendous improvements in the construction and armament of naval vessels. As has been written: “If the Elizabethan Age had produced nothing more, its reformation of the offshore sailing ship would in itself mark an era.” English ships were equipped with the heaviest and best ordnance, and manned with efficient crews. In the whole reign of Elizabeth only one ship of the royal navy was wrecked, and only one lost in battle—the *Revenge*, commanded by Richard Grenville, in an unequal contest against a Spanish fleet in 1591.⁴

⁴ For further details about the British navy, see J. S. Corbett, *Drake and the Tudor Navy* (2 v., 1917); A. L. Rowse, *Sir Richard Grenville* (1937).

The commercial classes showed an increasing envy of Spanish trade and colonization. Also, Spanish acquisition of gold and silver from the mines of Mexico and Peru had resulted in domestic inflation and speculation, "get-rich-quick" schemes, and a decline in home industry. Therefore Spain had to depend increasingly upon other nations for her manufactured goods. According to a 1560 estimate, only one twentieth of Spain's exports to her colonies was of home manufacture. The prospect of stepping into this breach appealed to English merchants and manufacturers. It might be the solution to the economic plight in the English cloth industry—a depression caused by the increasing production of foreign woolens, by wartime disturbances of trade, especially in the Low Countries, and by English dependence on Spain and her colonies for blue dyes and indispensable vegetable oils. Richard Hakluyt, the famous publicist of English colonization, placed great emphasis on the need for new markets and for guaranteed access to materials essential to English industry. Referring to trade with the New World, he wrote:

At the first traficque with the people of those partes, the subject of this realme for many yeres shall change many cheepe commodities of these partes for the things of high value there not esteemed; and this to the great inrichinge of the realme.

He also pointed out that in the colonies the queen would have "plentie of excellent trees for mastes, of goodly timber to build shippes and to make greate navies, of pitche, tarr, hempe, and all things incident for a navie royall."

Changes in the International Situation. In the early part of the sixteenth century England apparently accepted the Spanish sphere of influence in the New World. She was loyal to the Catholic Church prior to 1534 and had an alliance with Spain. But after Henry VIII obtained a divorce from his Spanish wife, Catherine of Aragon, in 1533, he broke with the Catholic Church and with Spain.⁵ English rivalry thereupon assumed the character of a religious crusade, which "touched with emotional fervor the Englishman's loyalty to the national faith." Therefore Protestantism and nationalism now became almost synonymous.

English Protestantism was also stimulated by concern over growing Spanish Catholic missionary activities in the New World. Hakluyt stressed this when he wrote:

Now if they [Spanish Catholics], in their great superstition, by means of their plantinge in those partes, have don so greate thinges in so shorte space, what may wee hope for in our true and sincere relligion, proposinge unto ourselves in this action not filthie lucre nor vaine ostentation, as they in deede did, but principally the gaynings of the soules of millions of those wretched people, the reducinge of them from darkness to lighte, from falsehooде to truthe, from dombe idealls to the lyvinge God, frome the depe pitt of hell to the highest heavens.

⁵ For further information on this, see Francis Hackett, *Henry the Eighth* (1929).

Although relations between Spain and England improved during the reign of Mary (1553–1558), who was married to Philip II of Spain, the accession of Elizabeth in 1558 brought renewed hostility. The new queen had no love for a Catholic Church that considered her illegitimate, and she distrusted and disliked Philip II. There was a basis for this dislike in the Spanish ruler's constant plotting to gain the English throne and restore Catholicism.

In 1562 Sir William Cecil informed the Spanish minister in London that "the pope had no right to partition the world and to give and take kingdoms to whomsoever he pleased," and in 1580 England declared she could not acknowledge the Spanish claim to the New World. Spain was no longer a respected ally, but a dangerous and hated rival. Henceforth English seamen paid little or no attention to such Spanish claims.

When Philip II demanded that Francis Drake be punished for his seizure of Spanish treasure ships, the English government's reply was:

That they could not acknowledge the Spanish right to all that country, either by donation from the Pope or from their having touched here and there upon those coasts, built cottages, and given names to a few places; that this by the law of nations could not hinder other princes from freely navigating those seas and transporting colonies to those parts where the Spaniards do not inhabit; that prescription without possession availed nothing.

Richard Hakluyt placed great emphasis on English colonization as a means of weakening Spain. In *A Discourse Concerning Western Planting* (1584), with reference to Walter Raleigh's projected colonies, he wrote:

This enterprise may staye the Spanish Kinge from flowinge over all the face of that waste firme [mainland] of America . . . How easie a matter may it be to this realme, swarminge at this day with valiant youthes, rustinge and hurtfull by lacke of employmēt, . . . to be lords of all those seas, and to spoile Phillips Indian navye, and to deprive him of yerely passage of his treasures into Europe, and consequently to abate the pride of Spaine and of the supporter of the greate Anti-christe of Rome, and to pull him downe in equallitie to his neighbour princes, and consequently to cutt off the common mischeses that come to all Europe by the peculiar abundance of his Indian treasure, and this withoute difficultie.

Hakluyt predicted that if colonization was successful, "wee shall cutt the combe of the Frenche, of the Spanishe, and of the Portingale, and of enemies, and of doubtful frendes, to the abating of their wealthe and force."

Widespread desire for national glory and prestige was intensified by apprehension over Spain's achievements and growing wealth in the New World and the realization that England must take prompt action or lose out completely. British envy and hatred of Catholic Spain; the desire for an American base of attack against her; the hope of discovering a western water route to the Far East; scarcity of essential raw materials; the lure of precious metals, commerce, and other economic opportunities—the "Elizabethan dream of wealth"; the wish of individual Englishmen to own land; the call of adventure; the desire to

"spread the gospel among the heathen"; and the vision of a greater Britain—all these elements combined to arouse England and Englishmen to the need of establishing permanent settlements in America in order to remove the Spanish obstacle.

Elizabethan "Sea Dogs." It is significant that English interest in colonization grew out of attacks on Spanish trade, "treasure ships," and colonies. John Hawkins, Francis Drake, Richard Grenville, and other bold sea captains of Protestant England preyed upon the treasure ships of mighty Spain and also drew their country's attention to the richness of America. Captain Hawkins of Devonshire smuggled slaves into "Hayti" in 1563, thereby starting to break the Spanish monopoly in that field. It is probable that Queen Elizabeth invested in at least one of Hawkins' ventures. David B. Quinn, the outstanding authority on the subject, wrote: "From 1570, usually with royal connivance, the piratically inclined south-western gentry maintained constant attacks on Spanish treasure fleets and colonial settlements." Francis Drake, whose exploits are better known, was the leading figure in these operations. He pillaged towns and ships in the Caribbean, and in 1578 sailed around South America, looting settlements all along the western coast. In 1580 he circumnavigated the globe, returning to England with a cargo that paid £263,000 to the queen and 4,600 per cent to his sponsors. He finally attacked Cadiz in 1587, and wrote about "singing the King of Spain's beard."⁶

These attacks against Spanish commerce not only were personally profitable to those who made them, but they were also "blows struck for their religion, their country, and their queen." These operations were piratical in nature, for England and Spain were then at peace. The Spanish ambassador in London finally protested Drake's depredations, and there was threat of war—which finally came in 1588 for this and other reasons.

The Gilbert Colony. England, however, needed more constructive enterprises if she hoped to challenge successfully Spain's monopoly of the New World. In the 1570's a few English geographers suggested North America as an appropriate area for colonization. The leading advocates were Richard Hakluyt, the elder, a lawyer and royal consultant on matters relating to overseas trade, and his younger cousin, the Reverend Richard Hakluyt; but the most conspicuous figures in the original efforts to "plant the English nation" in America were two "west-country gentlemen" of Devon, Sir Humphrey Gilbert and his younger half-brother Walter Raleigh.

Gilbert, educated at Oxford, had fought the Spaniards in the Netherlands and had served as a soldier in Ireland, where, as early as 1566, he became interested in plans to colonize the area. For more than a decade he was the foremost exponent of the belief that the Indies could be reached by way of a "northwest

⁶ For further details, see W. Wood, *Elizabethan Sea Dogs* (1918), and H. R. Wagner, *Sir Francis Drake's Voyage Around the World* (1926).

passage" around North America. In his *Discourse of a Discoverie for a New Passage to Cataia* (1576), he attempted to convince the queen that America could be circumnavigated. The three voyages of Martin Frobisher to the Labrador-Hudson's Bay region in 1576-1578 were probably prompted by Gilbert, but Frobisher's failure to find the expected passage lessened Gilbert's interest.

Instead, he turned again to planting colonies in Ireland, where he and other Englishmen first acquired their conception of a real plantation of English people, and to the newer ventures: the exploitation of the Newfoundland fisheries, weakening the power of Spain, and planting colonies in America with the hope of bettering the "needy poor of England."

In November 1577 someone presented Queen Elizabeth with "A Discourse how Her Majesty may annoy the Kinge of Spaine by fitting out a fleet of shippes of war under pretense of Letters Patent, to discover and inhabit strange places." The writer, proposing to destroy the Spanish fishing fleets at Newfoundland, declared:

If you will let us first do this, we will next take the West Indies from Spain. You will have the gold and silver mines and the profit of the soil. You will be monarch of the seas and out of danger from every one. I will do it if you will allow me; only you must resolve and not delay or dally; the wings of man's life are plumed with feathers of death.

As the idea had been expressed several times by Sir Humphrey Gilbert,⁷ historians have ascribed the authorship to him. At any event, within less than a year Queen Elizabeth granted Gilbert permission, during a six-year period, to transport subjects from England to one or more colonies within regions that he should discover "not actually possessed of any Christian prince or people." The colonists, although remaining under allegiance to the crown, were to be "subject to subordinate rights of government administered by the patentee," albeit in harmony with the laws of England.

With seven ships and almost four hundred men, Gilbert sailed from Plymouth in November 1578, but bad weather, shortage of food, faulty navigation, and an encounter with Spanish vessels along the southwesterly course he pursued forced him to return to England with "the loss of one tall ship." Despite this setback, he quickly solicited investments for a second venture to "Norumbega" from merchants and landed gentry, promising trade privileges and grants of a thousand acres for each five-pound share. Altogether he made, on paper, grants totaling nine million acres.

Early in June 1583, this time with five ships and more than 250 men, [Gilbert sailed westward along the northern route; about the last of July he anchored at Newfoundland.] There he encountered fishermen from various countries of western Europe, who had been plying their trade along the Grand Banks in

⁷ For example, he said he wanted "to establish a colony . . . fairly near to the West Indies, and capable of being used against Spain."

increasing numbers; indeed, as early as 1578 an estimated 350 fishing craft were making the transatlantic voyage, usually twice a year. After claiming the territory in the name of the queen, Gilbert sailed southward, looking for a site for settlement. Disaster struck, however; one ship was lost, the prospective settlers became unhappy when they foresaw no possibility of sudden wealth, and Gilbert yielded to their demands to return to England. When his ship foundered near the Azores, Gilbert perished at sea.

(The Roanoke Island Colonies) The first English colony actually planted in the New World was sent out by Walter Raleigh, soldier, courtier, historian, poet, and favorite of Queen Elizabeth. In March 1584 he obtained a patent from the queen, essentially a renewal of the charter inherited from his half-brother, Sir Humphrey Gilbert. It conveyed to him, his heirs, and assigns the title to any lands he might discover "not actually possessed of any Christian prince, nor inhabited by Christian people." Raleigh was authorized to plant colonies and establish a government in which the settlers were to have "all the privileges of free Denizens, and persons native of England," but no statutes could be passed "repugnant to the laws of England."

Within a month Raleigh sent Captains Philip Amadas and Arthur Barlowe "with two barks well furnished with men and victuals" to explore the country and recommend a suitable site for settlement. This expedition reached the coast of what is now North Carolina, and finally came to an island "which the Indians called Roanoke." After two months of exploring and trading, the party returned to England, where Barlowe described the region as "the most plentifull, sweete, fruitful and wholesome of all the world," and containing the "highest and reddest Cedars of the world," and inhabited by "the most gentle, very handsome, and goodly people." This report was received with enthusiasm by Raleigh, Queen Elizabeth, and others interested in "planting the English nation" in the New World. Raleigh was knighted, and the land was christened *Virginia* in honor of the unmarried queen.

About the same time Richard Hakluyt, "at the request and direction of Raleigh," presented to Queen Elizabeth *A Discourse Concerning Western Planting*.⁸ In it Hakluyt portrayed for Raleigh a colony in Virginia that would make Englishmen "lords of navigation" and that would eventually produce grapes for wine and raisins; sugar to relieve England of "a dependence on infidels or our doubtful friends"; olives for oil; anil, wood, saffron, and madder for dyes; silk, flax, and hemp for textiles and cordage; citrus fruits; and many other desirable commodities.

Raleigh had no difficulty procuring "a fleet of seven ships well stocked and

⁸ For further information about Gilbert's efforts, see J. B. Brebner, *Explorers of North America, 1492-1806* (1933), and W. G. Gosling, *Sir Humphrey Gilbert* (1911).

⁹ Professor W. F. Craven said that this document, which was not published until late in the nineteenth century, was "more important than any other single paper to an understanding of the genesis of England's colonial program."

manned" for his venture. The queen supplied one vessel, and Secretary Francis Walsingham, among others, subscribed money for the undertaking. More than a hundred men sailed from Plymouth in April 1585 under command of Richard Grenville, with Ralph Lane as "lieutenant governor" and Philip Amadas as "Admiral of the Country." The group included John White, a "skilful painter," Thomas Hariot, a learned mathematician and scientist, and Thomas Cavendish, the "boy wonder" who later circumnavigated the globe. Apothecaries, a physician, and a clergyman were also among the members.

In the middle of August the expedition arrived at Roanoke Island,¹⁰ where the settlers soon built Fort Raleigh and "sundry necessary and decent dwelling houses." The colony, however, was beset with problems from the start. It suffered from friction between Lane and Grenville, Indian hostility, and scarcity of food, tools, and other essential articles. The settlement was operated as a semimilitary community, in which the people received no land grants and in which they were supposed to work as paid servants for Governor Lane.

The problem of "supplies" plagued the colony. Hariot, in his famous *A Briefe and True Report of the New Found Land of Virginia* (1588), the first account in English about a region now within the United States, wrote that when the colonists landed, they had only twenty days' supply of food, a scarcity of clothing, and the lack "of English means for the taking of beasts, birds, and fowl." When the settlers failed to find gold or silver, they "had little or no care for any other thing but to pamper their bellies, . . . that lacking fair houses, dainty food, and soft beds, the country to them was miserable."

The colony managed to pull through the winter, but by the following spring Indian animosity had become so serious that when Drake's fleet appeared off the coast, the whole group returned to England with him. Though Lane's settlement failed, it was not without historical significance. Besides being the first English colony in the New World, it produced seventy-five famous paintings of Indian life by John White and Hariot's informative account about "Virginia." Hariot listed a large number of "merchantable" commodities, especially silk and rare gum, oils, wine, cedar wood, furs, iron, coffee, alum, pitch, tar, rosin, turpentine, and such drugs as sassafras by which "Virginia" would enrich itself and the mother country as well. This description was the first indication of what was to be a principal feature of England's colonial policy for the next two centuries —mercantilism.¹¹

Raleigh, undiscouraged, quickly planned another expedition, but his "second colonie" had a different type of organization and a more specific objective. As his personal fortune was being rapidly dissipated, he obtained the support of nineteen merchants and thirteen "gentlemen" of London as "adventurers" on

¹⁰ En route it stopped for a while at Puerto Rico and Hispaniola, without much Spanish opposition. When this news reached London, Queen Elizabeth was finally persuaded to authorize Drake to raid the Spanish Main, thoroughly convinced that Spain was weak in that area. Drake burned St. Augustine and almost destroyed Cartagena.

¹¹ See pp. 140-146 for a detailed account of mercantilism.

a joint-stock basis.¹² The semimilitary organization was abandoned, and five hundred acres were allotted to each settler, with larger tracts if additional investments were made. The colonists were to take along their families, till the soil, and develop a settled community life.

A group of more than a hundred persons, including seventeen women and nine children and headed by John White as governor, was instructed to go to Roanoke Island, pick up the fifteen men Grenville had left there the previous year, and then proceed to Chesapeake Bay to establish a fort and a settlement. Contrary to these instructions, however, the colonists again located on Roanoke Island. Within a few weeks two dramatic incidents occurred. Manteo, the "friendly Indian," was baptized and made "Lord of Roanoke"—the first recorded Protestant baptismal service in the New World and also the first English title of nobility ever granted an American Indian. The better known incident was the birth in August 1587 of Virginia Dare, the first child of English parents born in America.

Soon after these events Governor White was "constrained" to return to England for supplies. He reached there in November 1587, at the time of a threatened Spanish attack.¹³ When he finally returned to Roanoke Island in August 1590, the colonists had vanished, leaving only the word *CROATOAN* carved on one tree, and the letters *CRO* on another. The colony thus passed out of history, but not from the field of historical speculation.

Raleigh failed to plant a permanent colony in the New World, and thus lost both political prestige and a considerable portion of his fortune—though not all, as some writers have asserted. But his efforts, and the publicity given to them by the two Hakluyts and several other contemporary writers, stimulated English interest in America and convinced the crown, members of the Privy Council, merchants, and others that the Spanish monopoly of the New World could be broken.

The English Situation, 1589–1603. As the Elizabethan reign drew to a close, the failures of Gilbert and Raleigh, the continuance of the war with Spain until 1604, the profits and pleasure derived by English privateers from seizing Spanish ships, and the greatly renewed activities of English merchants in many areas of the Old World all diverted capital, ships, and men from further attempts to plant New World colonies. In addition, many promoters of colonization had died or had lost interest. Gilbert was gone, and the elder Hakluyt died in 1591. Even Raleigh had turned his attention and money to a quest for an El Dorado, which led to a voyage to Guiana in 1595 and the resultant publication of a book about that "large and beautiful empire."

¹² There is a difference of opinion as to the role Raleigh played in this "second colonie." Some writers have insisted that it was definitely a minor one, and that the real control was in the hands of the thirteen "gentlemen" who became "The Governor and Assistants of the City of Raleigh." David B. Quinn, in *Raleigh and the British Empire* (1949), the most exhaustive study of this period, supports the view that Raleigh was still the leading figure.

¹³ Actually, White obtained his supplies early in 1588, but his crew, anticipating vast profits from attacks on Spanish ships, forced him to sail to the Caribbean.

It was principally the younger Hakluyt who kept interest in America alive. In 1589 his *Principal Navigations, Voyages, Traffiques, and Discoveries of the English Nation*, an eight hundred page volume of travel accounts, was published; and between 1598 and 1600 he edited a new three-volume edition, of which one third was devoted to the Western Hemisphere. This "Prose Epic of the modern English nation" consisted of scores of documents that illustrated the development of England as a maritime nation, a naval power, and finally as a colonial empire. The last phase was just beginning when Hakluyt died, leaving Samuel Purchas to carry on his literary work,¹⁴ and countless Englishmen to risk their lives and their fortunes in "planting the English nation" in America.

Changes in Elizabethan England. The new and revolutionary ideas and developments of Elizabethan England set the stage for American colonization and for the foundation of the British Empire, even though not a single permanent colony was planted until after the queen's death. During her reign, however, vast changes occurred in concepts of space and time in relation to the physical universe. Great progress was made in science, especially in physics, chemistry, astronomy, and medicine. Improvements also took place in military and naval science, notably in the improvement of artillery and small arms, which changed the mode of warfare. And there were economic changes that altered the living conditions of millions of Englishmen.

Of all these changes, the "economic revolution" in agriculture, industry, and trade, accompanied by the rise of modern capitalism, was the most significant. The increased demand for woolen cloth—"the glory of our traffic . . . chief pillar to our prince's revenue, the life of our merchants, the living of our clothiers," and the nation's major article of export—stimulated a demand for sheep raising, which produced an agricultural revolution. Many small cultivated holdings and village communities were replaced by enclosed sheep pastures, thereby throwing out of work thousands of cotters and other agricultural laborers. Some of these adjusted themselves to the new situation, others found employment in the less skilled crafts, but most became beggars and vagabonds. Queen Elizabeth perhaps referred to this last element when she remarked that the nation was "exceedingly pestered with sturdy beggars."

The economic revolution also brought increased wealth to many merchants and manufacturers, as well as to some of the landed gentry. This was particularly true of the commercial element in London, where banking rooms appeared for the first time, and where "cargoes of Chinese silks, Indian spices, Persian and Turkish rugs, Russian furs, and Venetian glassware" added to the luxurious living of many persons. There was a marked increase in the number of "pretentious dwellings" of gentry and merchants. Richard Hakluyt observed that "in this age every man desireth to fill his home with all means of good furniture." During the last half of the sixteenth century there was a sharp rise in prices, as

¹⁴ In 1625 Purchas published *Hakluytus Posthumus or Purchas His Pilgrimes*, which continued the work that Hakluyt had started.

England's expanding trade with various parts of the Old World resulted in a great influx of gold and silver and the introduction of luxury items on a large scale.¹⁵

The price of food and many other necessary articles increased more rapidly than did wages, which were regulated by local justices of the peace under provisions of the Statute of Apprentices (1563) and the Poor Law (1601). As real wages decreased, there was a rise in unemployment and tremendous poverty and misery among many rural workers and town artisans. One contemporary writer realized the gravity of this problem and suggested colonization as the solution:

Our land abounding with swarms of idle persons which having no means to relieve their misery, do likewise swarm in lewd and naughty practices, so that if we seek not some ways for their foreign employment, we must provide shortly more prisons and corrections for their bad conditions. It is no new thing but most profitable for our state, to rid our multitudes of such as lie at home pestering the land with pestilence and penury, and infecting one another with vice and villainy.

Joint-Stock Companies. As England shifted from agriculture to manufacturing and commerce, and became, according to the French, "a nation of shopkeepers," its foreign trade changed tremendously, both in trading connections and in the nature of its commercial organizations. The Merchant Adventurers, which had received a royal charter in 1407, had monopolized the export of English cloth to the Netherlands and to northern Germany; indeed, they controlled the bulk of foreign trade for nearly two centuries. This type of organization was known as the regulated company. Membership was limited to merchants who, though under the jurisdiction of a governor and a court that they themselves elected, went their own individual ways as far as their trade was concerned.

About the middle of the sixteenth century, however, a new type of organization, the joint-stock company, came into being to trade with a particular region, usually far distant from England. Any investor could buy stock and participate in the election of company officials. Assets were pooled for a specific venture—instead of being diverted as under the regulated company—and the profits were periodically divided. Thus, instead of the expense and risks falling on the shoulders of one or a few, they were borne by many. Also, by pooling the funds, a greater capital would be acquired and a larger venture undertaken. Because these ventures were far away from the home base, they might easily entail administrative, as well as financial, supervision. Consequently, their charters recognized them as bodies corporate and politic, with the privilege of passing statutes for the lands with which they were dealing and for the people whom

¹⁵ Earl J. Hamilton, in his *American Treasure and the Price Revolution in Spain, 1501-1650* (1934), shows how the influx of gold and silver from the New World brought about inflation in Spain, particularly after 1530. The result was an increase in price of almost every commodity, although wages did not keep pace with the advance. A similar situation developed later in England. The so-called price revolution speeded the decay of medieval economic institutions and promoted the rise of modern capitalism.

they "planted" in such lands. The major restriction, of course, was that such laws must be consistent with those of England.

The first venture of this new type was the Muscovy Company, chartered in 1555; for a long time it engaged in profitable trade with Russia. The Eastland Company (1579) met stiff Dutch competition in the Baltic area and was not too successful. Neither was the first African Company, organized in 1588. On the other hand, the Levant Company of 1592 made large profits in the Middle East. The first English contact with India in 1591 paid such handsome dividends from the sale of pepper that it was soon easy to raise £30,000 from the merchants to sponsor a larger expedition. And in 1600 the greatest English joint-stock company of all, the East India Company, was incorporated, with trading and governmental privileges along the east coast of Africa, the southern shores of Asia, the Indian Ocean, and the west coast of America.¹⁶

Thus, at the end of the Elizabethan era, England still had a nationalistic spirit, an antagonism toward Spain, a powerful navy and merchant marine, a restless population chafing under a depression, a powerful merchant class ready to "adventure" its capital, and a comparatively new type of organization—the joint-stock company—that had proved successful in Old World trade. All these factors helped to set the stage for permanent colonial planting in America as the seventeenth century dawned.

¹⁶ More than fifteen joint-stock companies had been chartered by England by the end of Elizabeth's reign. Although not all were profitable, the very fact that they persisted is an indication of their success.

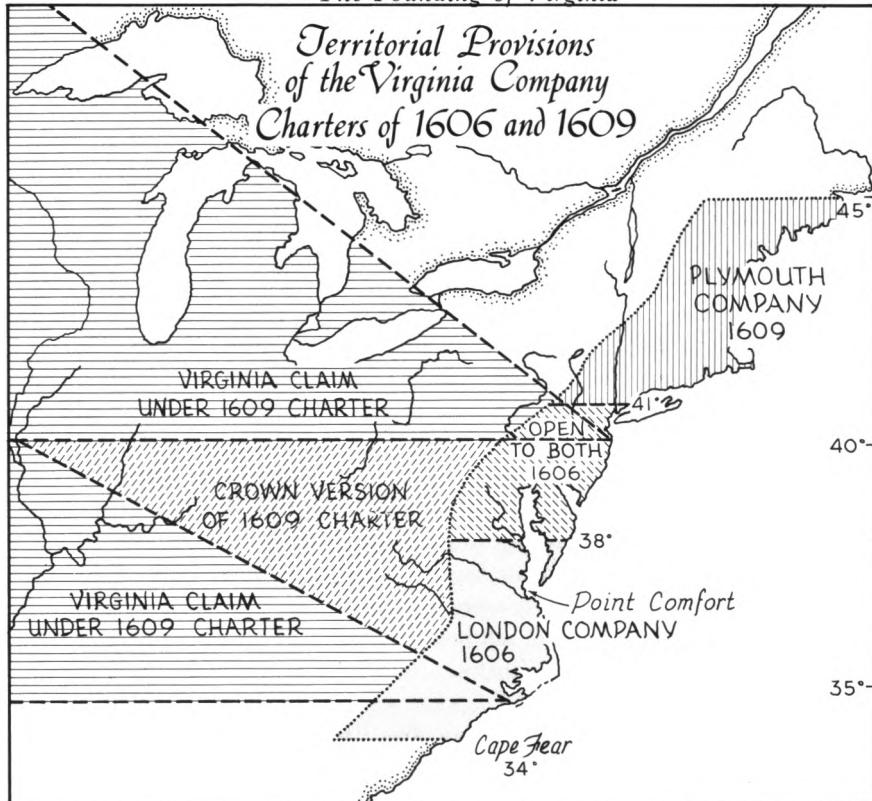
THE FOUNDING OF VIRGINIA

As war with Spain dragged to a close, English interest in American exploration, colonization, and trade revived. The presumed existence of John White's Roanoke colony led Raleigh, now a prisoner in the Tower of London, to renew his claims and to send several expeditions to America. One of these, lead by Captain Samuel Mace in 1602, explored the South Atlantic coast and brought back a valuable cargo of medicinal herbs and other commodities. Another, headed by Bartholomew Gilbert, quickly returned to England after its leader was murdered by Indians of the Chesapeake region.

There was also a revival of interest in Humphrey Gilbert's "Norumbega" when that territory was explored in 1602 by Bartholomew Gosnold and John Brereton. In the same year George Weymouth, in charge of an expedition financed by the East India Company, reached Greenland and probably Labrador. In 1603 some Bristol merchants sent Martin Pring to learn more about the New England coast, and in 1604 George Weymouth, this time backed by the Earl of Southampton, revealed the value of the fisheries and the fur trade, as well as of timber resources and naval stores, in that area. He failed to find a northwest passage, but "happened into a river on the coast of America called Pemaquid." Weymouth's glowing account of this Kennebec River region stimulated more interest in plans for colonization.

The Virginia Charter of 1606. Meanwhile, Queen Elizabeth died in 1603, and the kingdoms of England and Scotland were combined in a "personal union" with the accession of the first Stuart monarch, James VI of Scotland, as James I of England. The treaty of peace with Spain in 1604 released English capital and energies for colonization. At least four groups were interested: London merchants, most conspicuous of whom was Sir Thomas Smith (Smythe); a number of Plymouth men, including Sir Ferdinando Gorges, Sir John Popham, and Sir Humphrey Gilbert's sons; Bristol merchants; and the followers of the Earl of Southampton, who were eager to establish a Catholic colony.

The leaders of these groups united in petitioning James I for a royal charter for two companies, the London Company and the Plymouth Company, to plant a colony in "Virginia." The names of the petitioners included ten of Raleigh's associates in the John White colony of 1587, and also Sir Thomas Gates, Sir George Somers, George Calvert (later Lord Baltimore), Raleigh Gilbert (son



of Sir Humphrey and nephew of Sir Walter), Richard Hakluyt, and other "Gentlemen, and divers others our loving Subjects."

James I was in something of a quandary. The recently established peace might be broken were England to plant colonies in territory claimed by Spain. On the other hand, he was angered by the failure of Spain to allow a princess to marry his son. Moreover, he was eager to obtain the support of English capitalists and to spread the glory of his country in the New World. These factors swayed him, and in April 1606 he granted the charter. Drafted by Sir John Popham and written by Sir Edward Coke, the famous jurist, it gave two groups of "Knights, Gentlemen, Merchants, and other Adventurers," one resident in London and the other in Plymouth, Bristol, Exeter, "and other places," the right to establish colonies on that part of the American mainland "commonly called Virginia," between thirty-four and forty-five degrees north latitude, and "Islands thereunto adjacent or within one hundred Miles of the Coast thereof." The London Company was authorized to plant the "First Colony" within the region between thirty-four and forty-one degrees, and the Plymouth Company the "Second Colony" between thirty-eight and forty-five degrees. The two companies were to maintain a neutral zone between thirty-eight and forty-one

degrees, in which they might not establish colonies within a hundred miles of each other. The only specified motive for planting the two projected colonies was that of "propagating of *Christian Religion*" among "the Infidels and Savages, living in those Parts."

The Plan of Government. The Virginia Company, as the two groups were called, was under crown control for its first three years. The charter provided for a Council of Virginia, consisting of thirteen members appointed by the king and resident in England, who were to have "the superior Managing and Direction" of both colonies. This superior council was also to appoint a thirteen-member subordinate council for each of the colonies, resident in America. It was given authority to govern "according to such Laws, Ordinances, and Instructions" as the king approved.

Each local council had power to choose its own president annually and to enact ordinances not in conflict with either royal instructions or English laws, to hold courts of justice, and to appoint local officials. Each council was likewise granted the privilege to open mines, grant lands, coin money, defend its colony, and import certain articles free of duty for seven years. One fifth of the gold and silver and one fifteenth of the copper were reserved to the crown.

The charter guaranteed legal, but not political, rights of the settlers, who were to "have and enjoy all Liberties, Franchises, and Immunities within any of our other Dominions, at all Intents and Purposes as if they had been abiding and born within this our Realm of England, or any other of our said Dominions." This promise to colonists of the same rights enjoyed in England—common law, jury trial, personal and property rights, and freedom from arbitrary punishment—has been called "a fact that marks off English colonization from all other colonization, ancient and modern."

According to the royal instructions of November 1606, the Church of England was to be established in both colonies. For the first five years all produce of the settlers and all goods sent from England were to be kept in a common store, to be administered by a cape-merchant, assisted by two clerks to record all goods taken in or given out. No trade with any foreign nation was allowed.

The Ill-Fated Kennebec Colony. The Plymouth Company, or the "Second Colony," got under way first. In August 1606 Henry Challons sailed for North Virginia with about thirty men, but, making the mistake of taking the southern route, he and his party were captured by Spaniards in the West Indies. Meantime, Martin Pring and Thomas Hanham headed a second voyage, which made no settlement, although it brought back "the most exact discovery" of the New England coast.

Then Sir Ferdinando Gorges, the "grand old man of New England colonization," took the lead in fitting out an expedition of about a hundred men, commanded by George Popham and Raleigh Gilbert. It sailed from Plymouth on May 1, 1607, and reached the New England coast three months later. Near the mouth of the Sagadahoc (Kennebec) River the colonists built Fort St. George, a church, and about fifteen dwellings.

This colony, however, failed after a year for a number of reasons. There was constant scarcity of food and other supplies; the weather was "extreme unseasonable and frosty"; the neighboring Indians were hostile; dissatisfaction developed when no mines were discovered and no northwest passage was found; there was idleness and "factional quarreling" among the residents; and Gorges asserted that "childish factious ignorant timorous and ambitious persons"—notably Popham and Gilbert—"bread an unstable resolution and a general confusion in all theyre affairs." As a result of these problems, the survivors returned to England in the spring of 1608, bringing to an end this major effort of the Plymouth Company. For the next decade this company's primary interest was the Newfoundland fisheries, not colonization.

The Hopes and Tragedies of Jamestown. The London Company dispensed with a voyage to "spy out the land," and on December 20, 1606, sent out from London three small ships, the *Sarah* (or *Susan*) *Constant*, the *Goodspeed* (or *Godspeed*), and the *Discovery*—probably hired from the Muscovy Company—with some 140 men and four boys. These "first planters in Virginia" were under the command of an experienced navigator, Captain Christopher Newport, "until such time as they shall fortune to land upon the coast of Virginia." The expedition sailed for the Chesapeake along the customary route: to the Canaries and thence to the West Indies. After a hazardous voyage of about four months, the 104 survivors "descried the Land of Virginia," and on April 26, 1607, entered Chesapeake Bay. The two capes at the entrance were named Henry and Charles in honor of members of the royal family; the name *Point Comfort* is self-explanatory.

The prospective colonists were filled with high hopes. Contemporary accounts described the region as one of plenty. George Percy, one of the "first planters in Virginia," gave a glowing account of the "Flowers of divers kinds and colours . . . the goodly trees [such] as Cedars, Cipresse and other Kinds"; of the "fine and beautiful Strawberries, foure times bigger and better than ours in England"; of the "Squirrels, Conies, Black Birds with crimson wings, and divers other Fowles and Birds of divers and sundry collours"; of the James River, "one of the famousest" ever found "by any Christian"; of the fine fish, deer, and other animals; of delicious fruits. Michael Drayton, back in England, had written an ode *To the Virginian Voyage* just before the expedition left home:

And cheerfully at Sea,
Successe you will intice,
To get the Pearles and Gold,
And ours to hold,
Virginia,
Earth's only Paradise.

Where nature hath in store
Fowl, venison and fish,
And the fruitfulls't soil
Without your toil Three harvests more,
All greater than you wish.

John Smith wrote that "Heaven and earth never agreed better to frame a place for man's habitation," and also declared that "the temperature of this countrie doth agree well with English constitutions being once seasoned to the country."

Despite these optimistic reports, tragedy dogged Jamestown from the very start. It turned out that "seasoning" was a severe process that took the lives of more than half the settlers. By September 1607 only forty-six of the 104 who had landed the previous May were still alive. The number was further reduced to thirty-eight by the end of the year. The first three years of the colony's existence were a period of weakness, confusion, controversy, disease, starvation, and death. The chief causes of this unhappy situation were the nature of the site chosen for settlement, the relation of the settlers to the company, and inefficient government.

When the king's sealed instructions were opened two days after landing, it was found that the colonists were required to locate on a navigable river, preferably one with a northwest bend, "for in that way you shall soonest find the other sea." They were to settle on an island, one hundred miles from the sea, and in a place "not overburthened with woods."

Neither must you plant in a low and moist place, because it will prove unhealthy. You shall judge of the good air by the people, for some part of that coast where the lands are low have their people blear eyed, and with swollen bellies and legs, but if the naturals [natives] be strong and clean made it is a true sign of wholesome soil.

The leaders of the colony, whose names were listed in the instructions,¹ failed to obey these orders. On May 24, 1607, after considerable discussion, they chose Jamestown Peninsula (now an island) on the James River as a site for permanent settlement. This location, only thirty-two miles from the sea, was low and swampy, covered with trees, surrounded by Indians, and infested with malaria-carrying mosquitoes. During the first six months fever and other diseases, Indian arrows, and hunger killed off approximately half the settlers.

Those in charge had also been instructed to have one group work on fortifications, another plant crops, and a third, headed by Captain Newport, was to devote two months to "discovery of the river above you, and . . . the country about you." These orders were only partially executed. One party constructed a storehouse, a church, and a fort. Houses were built—after the English model, not log cabins—streets were laid out, and the place was called Jamestown. With the completion of James Fort by the middle of June, the settlers felt safe against Indian attack, a false security when an estimated five thousand natives were within sixty miles.

Some crops were planted, though John Smith recorded "no talke, no hope, nor worke, but dig gold, refine gold, load gold." Meantime, Newport and a small party spent two weeks exploring the James River as far as the "Falls" (the site of present Richmond), where they met Powhatan, emperor of a great Indian confederacy embracing about thirty-five tribes. To show their hospitality, the

¹ They were Captain Newport, Captain Bartholomew Gosnold, John Ratcliffe, Edward Maria Wingfield, John Smith, John Martin, and George Kendall.

whites plied the native chieftain with alcoholic drinks, which "staggered the potentate."

The Jamestown settlement was not begun on a sound basis as a colony; it was more of a "plantation," in which the proprietors were London Company stockholders. They owned the land and selected the settlers—none too wisely, for there were too many "gentlemen" and not enough workers. They also directed operations, had title to all the produce of the "planters," and financed other enterprises as well. The residents were their servants and employees. The produce of the settlement—lumber (especially clapboards), dyestuffs, and sassafras—had to be shipped to the company in London. Such products as grain and meat were stored in a public warehouse and distributed by the cape-merchant to feed the settlers. Most of the supplies were furnished by the company: clothing, medicine, tools, arms and ammunition, seed, stock, and food not raised in Virginia. The settlers relied too much on supply ships from England, and the irregularity of their arrival was a constant source of worry.

From the first there was friction among the members of the local council, chosen in London. Although John Smith's name was on the original list, he was excluded from the council because of a quarrel with Wingfield, first president of that body. The rule of this board (1607-1609) was characterized by factional differences and lawlessness. Two presidents were deposed, two other members removed, and one shot for mutiny. Professor Edward Channing, in describing the desperate situation in the summer of 1608, wrote:

With men sick and starving, a gloomy river in front of them, a forest and pestilential swamp at their back, and Indians intent on killing, behind every convenient bush and tree, there was sore need of a leader, and at the fort on James River there was none. . . . When Newport reached the post after his six months' absence, of the Council only Ratcliffe and Martin were alive and at liberty. Of the rest Gosnold had died of disease, Kendall had been executed, and Wingfield and Captain John Smith were in custody, the latter awaiting execution.

Ratcliffe was deposed and Smith made president in September 1608. Until his return to England in October of the next year, Smith imposed a rigid discipline that probably saved the colony from failure. For a most critical year he was a virtual dictator, thanks to the death, removal, or departure of most of the councilors. He had a blockhouse built, a well dug, and twenty houses erected. By clever dealings he obtained corn from the Indians, which probably saved the settlers from starvation. Smith opposed the craze for gold-seeking and forced the colonists instead to plant about forty acres of corn and raise chickens and livestock. He also encouraged experiments in making tar, pitch, potash, and glass. And he found time to explore personally a great portion of the Chesapeake country.²

In spite of Smith's effective leadership, the colony was still on the verge of failure. The number of settlers was reduced to about fifty, despite the arrival of

² Smith's explorations are graphically described in his *True Relation*, published in London in 1608.

several hundred newcomers in 1608. The London Company was unhappy over its failure to obtain adequate "returns" from the colony and over the mounting financial losses occasioned by the constant sending of men and supplies. Company leaders realized the need of reorganization, new capital, and greater governing powers.

The Second Charter, 1609. The company petitioned the crown for a new charter, which was granted in May 1609. It was drafted by Sir Edwin Sandys, who said his purpose was "to erect a free popular state in which the inhabitants should have no government put upon them but by their own consent." The Plymouth Company, or "Second Colony," was eliminated and a separate corporation created, called "The Treasurer and Company of Adventurers and Planters of the City of London for the first colony of Virginia." The charter gave to the stockholders of this joint-stock corporation control of the company and the colony and also direct ownership of all land in Virginia.

The London Company, as this new corporation was commonly called, consisted of fifty-six city companies and 659 individuals, of whom 110 were merchants and about a hundred past or present members of Parliament. There were two classes of members: "planters," who "go in their Persons, to be Planters there in the said Plantation," and "adventurers," who "go not, but adventure their Monies, Goods or Chattels." Every "planter" was to receive one share of company stock for each person transported to Virginia, and provision was made for the distribution of land every seventh year—a hundred-acre "land dividend" for each share. The value of each share purchased by the "adventurers" was £12 10s., on which dividends were to be paid in cash. Of the individual members of the London Company, 230 bought three shares or more, 229 less than three, and two hundred were "planters" who paid nothing. Each shareholder was to enjoy "all liberties and privileges as if they had begun the first year"—that is, in 1606.

The new charter also fixed the limits of the colony at two hundred miles north and south of Point Comfort, and "lying from the Sea Coast . . . up into the Land throughout from Sea to Sea, West and Northwest," and included all islands within one hundred miles of the coast. This was the origin of "sea-to-sea" grants, which had so much significance in later American history.

With the issuance of the 1609 charter, control of the company passed from king to stockholders of the corporation. The treasurer, or governor, and the first members of the advisory council were appointed by the king, it is true, but thereafter the company filled all vacancies independent of royal control. Sir Thomas Smith, who had been first president of the East India Company and a heavy investor in other joint-stock enterprises, was appointed treasurer. One of the most significant changes in the government in Virginia was the substitution of "one able and absolute Governor" with an advisory council for the plural executive of earlier days. Thomas West, Lord De la Warr [Delaware], was named first "governor and captain general" for the colony, with life tenure. There was much popular enthusiasm in England for the new organization. The Spanish

ambassador at London wrote that there was "no poor little man nor woman who is not willing to subscribe something for this enterprise."

Shortly after the charter was issued, nine ships, with eight hundred passengers and crew, under the command of Sir George Somers and with Sir Thomas Gates as *ad interim* governor for Lord Delaware, set out for Virginia. The expedition ran into heavy storms and was shipwrecked on the coast of the Bermuda Islands—thus accidentally giving England its claim to them.

The "Starving Time." Meantime, the situation in Virginia became more desperate. John Smith had left for England in October 1609, never to return to Jamestown. George Percy, acting as governor until further instructions, tried valiantly but unsuccessfully to cope with the problems of disorder, Indian attacks, crop failure, disease, and death. During this period (1609–1611), usually called the "starving time," the hard-pressed settlers had to resort for food to horses, dogs, mice, snakes, and at least one human body. The population was reduced from five hundred to but sixty. Percy described the situation in graphic terms:

Our men were destroyed with cruell diseases, as Swellings, Flixes, Burning Fevers, and by warres; and some departed suddenly, but for the most part they died of meere famine. There were never Englishmen left in a forreigne Countrey in such miserie as we were. . . . Our food was but a small can of Barlie sod in Water to five men a day, our drinke cold water taken out of the River, which was at a floud verie Salt, at a low tide full of slime and filth, which was the destruction of many of our men. Thus we lived for the space of five months in this miserable distresse, . . . our men night and day groaning in every corner of the Fort most pitiful to heare. If there were any conscience in men, it would make their harts to bleede to heare the pittiful murmurings and outcries of our sick men without relieve every night and day for the space of sixe weekes, some departing out of the World, many times three or foure in a night, in the morning their bodies trailedd out of Cabines like Dogges to be buried.

When Gates and Somers finally arrived from Bermuda in May 1610, they found the survivors half-demented, "not able, as they pretended, to step into the woods to gather other firewood." Gates, believing the situation hopeless, loaded the colonists on board ship and set out for England on June 7. Just as the expedition reached the mouth of the James River, it was met by Lord Delaware, with three ships, 150 men, and adequate supplies. He persuaded the settlers to return to Jamestown, and the colony was saved.

The Charter of 1612. Lord Delaware was "sole and absolute governor" of Virginia from 1610 to 1618, though he returned to England in the spring of 1611 because of ill health. Under the leadership of his deputy governors—Sir Thomas Dale (1611), Sir Thomas Gates (1611–1614), and Dale again (1614–1616)—law and order were established, a large number of newcomers arrived from England, the communal system was partly replaced by one of individual land leases, tobacco was developed as a "money crop," new areas were settled,

another town (the present Hampton) begun, additional forts built, and houses at Jamestown repaired.

Lord Delaware and leaders of the London Company were eager to have the Bermuda Islands included in their grant. They also desired more direct control over the colony, and they needed new stockholders, for about two hundred members of the company had failed to pay their subscriptions. Accordingly, the company petitioned the crown for a new charter, which was granted in March 1612. This document, called a "normal trading company charter," placed the Bermuda Islands within the jurisdiction of Virginia. It also made some major changes in government by providing for weekly meetings of the London Company "for the better Order and Government of the said Plantation." But for "the handling, ordering, and disposing of matters and affairs of greater weight and importance," the stockholders were to hold "Four Great and General Courts" a year. These courts were authorized to appoint the governor and colonial council, and to "make such laws and ordinances for the good and welfare of the said plantation, . . . so always, as the same be not contrary to the laws and statutes of this our realm of England."

Dale's Laws. When Dale assumed his duties, he found the houses in bad repair, the Indians threatening war, and the residents playing games instead of planting and cultivating crops. He immediately raised the very pertinent question of Captain Newport, "whether it were not meant that the people heere in Virginia should feede upon trees." As a partial remedy, the deputy governor put the settlers to digging sassafras roots and procuring cedar wood to ship to England.

Gates had already proclaimed certain laws and orders for the colony. Now they were "exemplified and enlarged" by Dale. The civil laws and military regulations were codified by William Strachey, secretary of the colony, and published by order of the Council of Virginia in 1612 as the *Lawes and Orders, Divine, Politique, and Martial for the Colony of Virginia*. "Dale's Laws," as this first code in the English colonies has been called, were very severe. Among the more than twenty capital crimes were such offenses as speaking against the Trinity, swearing in God's name, derision of the Bible, and persistent disrespect for those in authority. Religious services were to be held daily, and those failing to attend were to be punished: loss of rations for the first offense, public whipping for the second, and service in the galleys for the third. Profane cursing brought whipping for the first offense, a red hot bodkin through the tongue for the second, and death for the third. No one was allowed to trade with the Indians, to kill cattle or poultry, to destroy growing crops, or to leave the colony without license from the authorities.

Some historians have condemned Dale's "tyrannical rule" and have left the impression that the colonists were completely subject to martial law. Wesley Frank Craven, however, has shown that the settlers were subject to martial law "only insofar and for such time as they were engaged in military duties."⁸ Dale,

⁸ See his *Southern Colonies in the Seventeenth Century, 1607-1689* (1949).

while something of a combination of military commander and plantation overseer, never went to such extremes as the laws implied; his policy was one of much-needed regulation. When he returned to England in 1616, the colony was in excellent condition in comparison to the years before he took over.

There were other developments under Dale that also helped the colony. Jamestown had begun with a system of company ownership and a "common stock." The resulting encouragement to idleness was one of the major causes of the "starving time." Dale's command of "no work, no food" had a wholesome effect on the inhabitants. Small leases of land brought even better results. At the expiration of the "first seven-year period" in 1614, three-acre plots were leased to about eighty of the more energetic settlers, who were required to contribute one month's labor and two and a half barrels of corn to the company in return. Ralph Hamor, writing from Virginia in 1615, said:

When our people were fed out of the common store, and labored jointly together, glad was he who could slip from his labor, or slumber over his task he cared not how, nay, the most honest among them would hardly take so much pains in a week, as now they themselves will do in a day: neither cared they for the increase, presuming that howsoever the harvest prospered, the general store must maintain them.

So this start toward private ownership was a great boon to Jamestown.

Dale's Laws had established order and discipline, but the colony still lacked the means of economic self-sufficiency. The dependence of the settlers on supplies from England and the company's desire for profits pointed up the need for a "money crop." The successful production of tobacco furnished the answer to this major economic problem, and the "weed" turned out to be Virginia's "gold mine."

Long before the founding of Virginia, Spaniards had carried tobacco from the West Indies to Europe; later, French and English explorers, notably John Hawkins, did the same thing. The smoking of tobacco had become so widespread by the opening of the seventeenth century, especially among the upper classes in England, that the estimated value of the annual importation of Spanish tobacco amounted to about £200,000. Despite the opposition of James I, who later issued a "Counterblast" against tobacco, and of Edwin Sandys, who declared that "You can't build an empire on smoke," Virginia planters began to cultivate tobacco as early as 1612. In that year John Rolfe developed a new method of curing the "weed," and within a year or two the colony was exporting tobacco to London.

There was one difficulty that arose from this money crop. Virginians started planting tobacco to the exclusion of all else, and "starving times" threatened again. Dale soon realized the danger and ordered that those who had leased land must sow seeds of edible crops in two of their three acres before they could plant tobacco in the remainder.

Thanks to the changes made under Dale's regime, the colony was more attractive to settlers. At the end of his governorship there were more than 350 inhabitants, of whom some sixty were women and children and two hundred were



The wedding of John Rolfe and Pocahontas. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

servants.⁴ Little communities were springing up outside of Jamestown, generally in the region from the James River northward to the York.

The First Representative Assembly. Dale's administration brought a degree of stability to the colony and a limited prosperity to the settlers, but investors in the Virginia Company failed to realize profits from their stock. Various efforts were made to promote a diversified economy by the manufacture of glass, brick, iron, salt, and ships, but these enterprises met with little success, and most of the more than five hundred investors lost interest in the venture. Though a revision in governmental policy seemed imperative, there were sharp divisions within the company as to the nature of the change. The resulting alignments reflected the conflicting views of contemporary English politics. The "court party," led by Sir Thomas Smith and Sir Robert Rich, upheld the supremacy of the king, absolutism, the Established Church, and the continuation of martial law in Virginia. On the other hand, the "country party," headed by Sir Edwin Sandys and the Earl of Southampton, favored Parliamentary supremacy, freedom of worship, and extension of political rights to the Virginia colony.

The "country party" was more numerous and gained control of the company in 1618. Sandys, who had declared that the king ruled only "by consent of the people," was then chosen treasurer, despite the injunction of James I, "Choose

⁴ Captain Samuel Argall succeeded Dale as deputy governor of Virginia, serving from May 1617 until the arrival of Governor George Yeardley in 1619. According to Professor Craven, Argall "divided his attention between the responsibilities of command and efforts to improve his own fortune." Dissatisfaction with his corrupt and tyrannical rule pointed up the need for change in governmental policy.

the Devil, if you will, but not Sir Edwin Sandys." Sandys had objected to the "decay of the company land," to the "inordinate growth of tobacco" to the exclusion of other commodities, and to the small number of colonists sent to Virginia in recent years. To remedy these defects, the company now adopted a fourfold policy for the colony: legislation by the people's representatives, land grants to individuals, encouragement of immigration, and freedom of trade.

The initial step was taken in November 1618, when the company approved the "great charter of privileges, orders, and Lawes" for Virginia, which provided for a new colonial agency—the General Assembly.⁵ The new governor, Sir George Yeardley, arrived in Jamestown in April 1619, with instructions to call this assembly, "freely to be elected by the inhabitants . . . to make and ordain whatsoever lawes and orders should by them be thought good and profitable." The company, however, was to have the right of approval or disallowance.

The first legislative assembly in the New World met in the little church at Jamestown on July 30, 1619. This unicameral body was composed of the governor, six councilors, and twenty burgesses—two from each of ten settlements ("plantations," "hundreds," and "towns")⁶—and followed the general organization and procedure of the House of Commons. A speaker, a clerk, and a sergeant-at-arms were elected, and committees appointed. Then it was agreed that all bills must be read three times before becoming law.

This legislature adjourned after six days, for the weather was so hot that it caused "alteration of the health of divers present," including Speaker John Pory. Nevertheless, many important and interesting laws were enacted during one of the shortest sessions in American legislative history. The first measure provided that no injury be done the Indians, "whereby the present peace might be disturbed and antient quarrels might be revived." Indians were not to be sold weapons, powder, shot, or dogs. Whites were not to go to any Indian towns without the governor's permission. Provision was made for Indian education; the brighter native children were to be "fitted for the Colledge intended for them." There were strict laws against idleness, gambling, drunkenness, swearing, and excess in dress. Church attendance was made compulsory. Several measures were enacted to promote such industries as silk, flax, hemp, and winemaking. A labor law stated that tradesmen were to be paid "according to the quality and trade" of their work.

The assembly of 1619 marked official recognition by the company of the people's right to a voice in legislation, a right that the House of Burgesses considered irrevocable when it declared "this great Charter is to binde us and our

⁵ The "Great Charter" of 1618 has been lost. Historians have presumed that the Ordinance of July 24, 1621, is essentially the same. Article IV of this ordinance provided that the governor call a General Assembly "once yearly, and no oftener," consisting of "two burgesses out of every town, hundred, or other particular plantation, to be respectively chosen by the inhabitants," and that in this legislative body "all matters shall be decided, determined, and ordered, by the greater part of the voices there present; reserving to the governor always a negative voice."

⁶ An eleventh community, Brandon, refused to be represented because it had a special dispensation that exempted it from local control.



A view of Jamestown about 1622. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

heyers for ever." Yet there is no record that the Virginia Company ever formally approved or disapproved any measures of the first session. The next assembly of which there is record met in May 1621, and the last legislature under company rule passed some thirty laws in the spring of 1624. These events completed the transformation of Virginia from a mere plantation colony, supported and governed by a trading company largely for profit, into a political community, self-supporting and partially self-governing.

Another important action in 1619 was the suspension of Dale's Laws. The colonists were then once more entitled to "have and enjoy all Liberties, Franchises, and Immunities . . . as if they had been abiding and born within this our Realm of England."

Private Ownership of Land. The same year private ownership became an actuality when Governor Yeardley, on company instructions, granted one hundred acres of land to all freemen—those who had paid their passage to America—who were in the colony when he arrived. After this "first division," each free settler might also receive a similar amount, plus still another hundred acres, for each share of stock held. Servants were to obtain a like one-hundred acre "headright" on the completion of their service. New arrivals were entitled to fifty acres each and, in addition, the same amount of land for every member of their family over fifteen years of age and for each servant they transported to Virginia. But private ownership was not limited to these comparatively small grants. Hundreds, even thousands, of acres were given by the company to persons who had performed outstanding services for stockholders or colony; thus



The landing of the first Negroes at Jamestown, 1619. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

the foundation of the large plantation system was laid. Still another form of distribution consisted of grants to subsidiary companies; one, headed by Sir Thomas Smith, obtained two hundred thousand acres. In turn, these companies were expected to bring over a specified number of settlers. Certain lands were set aside for the governor and lesser officials, to be worked by servants sent by the company. It was felt that this scheme would alleviate the tax situation "as much as may be." And, finally, ten thousand acres near Henrico were provided as an endowment for a "University and College" to promote Christianity among the Indians.

Whereas there had been a few white women in early Jamestown—two in 1608 and twenty in 1611—the company in 1619, desiring greater colonial permanency, sent over ninety "young maidens," carefully chosen and well chaperoned. These were bought as wives by eligible bachelors for the cost of their transportation—120 pounds of tobacco.

In the same memorable year of 1619 John Rolfe wrote: "About the last of August came in a Dutch man of warre, that sold us twenty Negars." These were purchased by the settlers as "Christian servants"—as the Negroes had been baptized, they could not be slaves under current English laws.⁷ Thus, contrary to the common impression, these Negroes were just servants, not slaves. In fact, there is no reference to Negro slaves in Virginia documents until after 1640, and slavery itself did not become very important in the colony until the next century. It is interesting to note, however, that the basis for the large plantation system and the sale of the first Negroes both came in the same year.

⁷ This policy was set aside by Virginia in 1667.

The Tobacco Controversy. Tobacco also made its mark in 1619. Despite Dale's apprehension and the blasts from James I and others, the colonists continued to specialize in the production of the "weed" because it brought fabulous prices in London, even though it was considered inferior in quality to Spanish tobacco. It sold for as much as five shillings a pound, thereby leading one writer to comment that sixteen pounds of tobacco would buy a good horse. Therefore, in 1617 twenty thousand pounds were exported, a figure that trebled by 1619. But as production increased, the price dropped, to the dismay of planters and members of the Virginia Company alike. The company ordered that no tobacco be planted the following year, but little attention was paid to this decree, and exports mounted with astonishing rapidity. Sandys was furious about the primary attention given "this deceavable weede Tobacco, which served neither for necessity nor for ornament to the life of man, but was founded only on humor, which might soon vanish into smoke and come to nothing."

The king, however, allowed his hatred of tobacco to be overcome by his desire for greater revenue. Consequently, in 1619 he placed an import duty of a shilling a pound on it, or 20 per cent of its selling price. Although this action was contrary to the charter provision that limited such a tax to 5 per cent, the Virginians did not object, as they had a virtual monopoly of the English market. When James I set an import ceiling of fifty-five thousand pounds in 1620, however, the irate colonists countered by selling their whole crop—which was much larger than this figure—in Holland.

The Privy Council settled this dispute by compromise in 1621. Under the so-called Tobacco Contract, all colonial tobacco exports had to be sent to England, where they would have a monopoly, for no tobacco could be grown in the mother country and none could be imported from elsewhere. This contract might be called the first real act of trade or navigation act; it also originated in the important year of 1619.

The various events of that year gave new life and new hope to the settlers. Immigration boomed as some three thousand newcomers arrived within the next three years. Although practically all of the new arrivals were farmers, efforts were made to promote industrial experiments, especially iron making. More and more communities were established to take care of the increasing population.

Development of Local Government. As the population grew and little settlements were started farther and farther from the seat of colonial government, it became increasingly necessary to establish some form of local administration. Several "plantations," like Brandon, already had special privileges modeled after the County Palatine of Durham,⁸ but the majority followed the form they knew

⁸ The County Palatine or Bishopric of Durham, located in northern England along the Scottish border, had been given extensive powers of a feudal nature, primarily to guard England from possible Scottish attacks. The Bishop enjoyed virtually unlimited authority and immunity from royal interference. Similar rights were granted to colonizing agents in America, especially to the proprietors of Maryland and Carolina. Subsequently, such feudal

best—the normal English system. The first type of administration established was the "hundred," a division that theoretically included one hundred families; actually, however, the hundred in Virginia was territorial, without regard to the number of families within it. It took care of local political matters, judicial problems, and defense. By 1619 the hundred had been largely supplanted by the borough, which was the original unit for representation in the House of Burgesses.

In the 1620's the county became the most important unit of local government. The leading official was the justice of the peace, named by the governor from one of the most prominent local families. The justice was in charge of the county court, which was both a judiciary and a legislature, for it dispensed justice within the county, decided the tax levy, and supervised business matters. Assisting both the justice of the peace and the court were a sheriff and a constable. A county lieutenant, in charge of the local militia in which every adult male had to serve a certain number of days each year, was responsible for county defense. In outlying counties, where danger from Indian attack was great, this was frequently an important task. The county gradually became the election unit for representation in the House of Burgesses.

Not so important was the parish, which might be called the religious unit of the colony. Sometimes its area corresponded with that of the county. The parish's administrative agency was the vestry, originally selected by the church members. It met with the local clergyman to help supervise numerous religious matters, including education and care of the poor. With the passing of the years, however, the vestry became less democratic; when a vacancy occurred, it was filled by the remaining members and thus became a sort of closed corporation. Town government was virtually nonexistent. The scattered and frequently isolated population of Virginia was responsible for this.

Virginia Becomes a Royal Colony. The period of progress and opportunity that began in 1619 was brought to an abrupt, but temporary, end by several factors. One was the Indian massacre of 1622. Powhatan, the powerful and friendly Indian leader, had died in 1618, and was succeeded by Opechancanough, who was determined to exterminate all the colonists. Accordingly, in March 1622 the Indians delivered a "deadly stroke" that brought "great amazement and ruin" to Virginia, killing an estimated 350 whites, or about one fourth of the population,⁹ driving off or slaying cattle and other livestock, burning many homes, and destroying the recently constructed ironworks. The colony was left devastated and the survivors in despair.

Although the Indians were decisively defeated the next year, the massacre of 1622 played into the hands of James I, who had long been hostile to Sandys and

privileges were sources of trouble in America, particularly when democratic forces became stronger.

⁹ Although three thousand emigrants had arrived between 1619 and 1622, deaths and returns to England cut the total number of Virginians to about twelve hundred when the massacre started.

his party in the Virginia Company.¹⁰ The king was also unhappy over the colony's failure to abide by the terms of the Tobacco Contract. There was dissatisfaction in England among the company stockholders because the company had failed to make profits and no dividends were being paid. The reason is clear: the colonizing venture, "which called for heavy investments in a number of highly speculative ventures, was too ambitious and altogether out of proportion to the financial resources available for its continued support." Colonizing and profit-making did not seem to mix. Moreover, "the company was torn by internal dissensions, arising partly out of its mismanagement of the funds and partly out of its failure to remedy the deplorable condition of the colony." So bad was the situation within the company that it became a public scandal.

Englishmen in general were dissatisfied over the high death rate among fellow Englishmen in Virginia. In 1618 there had been approximately a thousand colonists. Four thousand more had crossed the Atlantic by early 1624, yet a census in that year showed only 1,275 alive. Such a heavy mortality indicated that something was gravely wrong.

The king, supported by both the Smith and Warwick factions in the company, was quick to take advantage of the crisis in company affairs to appoint a commission in 1623 "to examine the carriage of the whole business." The report of this commission showed that the company was grossly mismanaged and on the verge of bankruptcy. The company was charged with promoting schemes for private gain, with responsibility for the high death rate and suffering in the colony, and with failure to furnish adequate protection to the settlers.

Accordingly, the Court of King's Bench issued a writ of *quo warranto* against the Virginia Company, demanding that its officials explain "by what right" they held their charter. As the explanation was unsatisfactory, it was the judgment of the court in June 1624 that the company had failed in its objectives, and its charter "should be thenceforth null and void." Virginia thus became a royal colony, subject to direct control of the crown; the Virginia Company continued to operate as a trading agency for about another decade.¹¹

The transfer of Virginia to the crown was perhaps beneficial to all parties concerned. The company was insolvent, and its investors, who had lost more than £250,000, might have been unable or unwilling to develop the colony

¹⁰ Some older writers on colonial history have asserted that Count Gondomar, the Spanish ambassador in England, persuaded James I to take action against the Virginia Company because of the political opinions of the company's leaders. He was reported to have told the king: "That though they might have a fair pretence for their meetings, yet he would find in the end that court would prove a seminary for a seditious Parliament." This story has been thoroughly discredited by Wesley Frank Craven in his *Dissolution of the Virginia Company: The Failure of a Colonial Experiment* (1932). Professor Craven believes that the chief reason for dissolution of the company was its failure as a colonizing and profit-making agency, and that it was not "the result of a long-standing political quarrel in which the adventurers divided according to their opinions on government in England and democracy in America."

¹¹ In 1625 Charles I issued a proclamation stating that all colonies should be under royal control. Virginia was to be governed by a colonial council, subject to a special council in England, which in turn was subordinate to the Privy Council. This scheme was abandoned in 1639, when Virginia was given a government much like the one it had in 1619.

properly. Royalization did not affect the private land titles granted by the company, but undistributed lands reverted to the king, who was free to grant them to individual settlers or to proprietors. The crown's primary interest in development and expansion of the colony, rather than in profits to investors, led to larger land grants on more liberal terms, although a relatively small quitrent was imposed as a means of public finance.¹² The complete abolition of the old system of company supplies and the resulting necessity of self-support stimulated free enterprise and economic betterment. The crown's interest in commerce, military defense, and development of a strong, self-supporting political community proved to be of inestimable value in the building of Virginia. As a result, population increased from 1,275 in 1624 to five thousand in 1635, when some sixteen hundred settlers arrived in Jamestown. By 1642, the year of the Great Rebellion in England,¹³ the colony was definitely on its feet, and henceforth there was continuous progress in population, wealth, culture, and power.

Royal Government in Virginia. The crown exercised political control through the power to appoint and remove the governor, councilors, and judges. The governor, to serve "during the pleasure of the Crown," received his royal commission and instructions from the crown, though his salary had to be voted by the local legislature. He had executive, legislative, and judicial functions, the authority to appoint and remove the law enforcement officials and to "summon, prorogue, and dissolve" the legislature. The governor and his council constituted the highest court in the colony. He was also commander-in-chief of the colonial military and naval forces, head of the land system, and nominal, if not actual, head of the Established Church in Virginia. No public monies could be spent without his approval. Furthermore, he had powers of a diplomatic nature in relation to Indian tribes and other colonies.

The council, appointed by the crown, usually following nomination by the governor, was his advisory body. It was also the upper house of the legislature after that body became bicameral. The councilors formed the major portion of the colony's highest court.

When the company charter was rescinded, no mention was made of continuing the House of Burgesses. Therefore, the last assembly under company rule resolved in 1624 that:

The governor shall not lay taxes or impositions upon the colony, other way than by authority of the General Assembly to be levied and employed as the said assembly shall approve.

This statement, in effect, was the first expression of the theory, so important in later history, that there should be no taxation without representation.

Actually, no representative assembly met in Virginia from 1624 to 1629, and the local leaders were not certain of their right to hold such sessions. They there-

¹² For further details on quitrents, see pp. 329-330.

¹³ See pp. 127-128.

fore commissioned former Governor Yeardley to return to England and prevail on the new king, Charles I, to restore the legislature. Yeardley made an impassioned appeal to both the king and the special council entrusted with supervising colonial administration, in which he stated that allowing the assembly to meet again would be the only method of obtaining colonial support. The crown paid no attention to this request.

In 1628, however, Charles named Sir John Harvey as governor. The new appointee, being well acquainted with the popular temper in Virginia, told his monarch that it would be useless for him to try to rule the colonists unless they had a legislative assembly. At this time England was on the verge of war with France, and Charles needed money to wage it. Therefore the king agreed to allow the assembly to convene again in return for a monopoly of the valuable tobacco exports, then about five hundred thousand pounds a year. Later, in 1639, Charles issued a formal directive that a legislature be held each year as "formerly." These were important steps in American political history, for English rulers, having allowed representative government in the first colony, could not very well deny it to later settlements.

The legislative body, properly called the General Assembly, consisted of two groups: the council and the popular representatives. Eventually (possibly in 1663) this unicameral body was split into two branches: the upper house, made up of council members; the lower, the House of Burgesses, of elected personnel. In the beginning the franchise was extended to all free males of legal age, and fines were meted out for not voting. Later on, however, property qualifications were adopted. From an early date a special poll tax was assessed to help pay the salaries of members of the General Court and local officials.

The Virginia Judiciary. The county courts, presided over by justices of the peace, tried local cases, probated wills, and, among other matters, had the care of orphans. Decisions were guided by colonial interpretations of English common law, as well as by precedents established locally. Appeals could be made to colonial courts, whose judges were appointed by the crown, and then to the General Court, at first consisting of governor and council. Later on, there were a few instances of litigants taking their cases to the General Assembly. But none of these actions was final, for the Privy Council of England, which has been called the Supreme Court of the Empire, could be asked to render the ultimate decision. That the judicial system worked well is indicated by the statement of a contemporary: "More speedy Justice and with smaller charges is not in any place to be found."

All these developments in Virginia had considerable influence on the institutions of subsequent colonies. This form of government and the guarantees of the rights and liberties of the people were largely fixed in colonial America as a result of Virginia's experiences.

Virginia Government in Operation, 1624-1642. Perhaps the most obvious development in Virginia government for the generation after royal control was

established was the increasing authority of the governor and council. During the first five years of royal rule—when there were no legislative assemblies—the council exercised tremendous power; as late as 1635 it even arrested and deposed Governor Harvey, supposedly because of his sympathies with Lord Baltimore of Maryland in the Kent Island dispute.¹⁴ But Charles I sent Harvey back to his post and summoned several council leaders to England for an explanation of their conduct.

From 1624 to 1642 the governors were supposed to receive their salaries from the king out of duties collected on Virginia tobacco imported into England. The financial difficulties of Charles I were such, however, that money could not be spared for that purpose. Therefore, the governors began to seek financial appropriations from the colonial legislature as a substitute. Although such moves may have endeared the Virginia executives to the virtually bankrupt sovereign, future governors throughout colonial America were to face many problems as they became financially dependent upon the legislative branch.

The period after 1624 is also noted for the continued interest in and the rapid growth of tobacco production. By 1629 the price of the "weed" had dropped below the cost of production, which was estimated at two pence a pound. Therefore the legislature limited the number of tobacco plants for each individual to three thousand, to two thousand in 1630, and to fifteen hundred three years later. Another law provided for inspection of all tobacco for exportation and for burning that of poorer quality. And a measure of 1640 stipulated that no planter could profit "by reason of excessive quantities made," and limited the total output of the colony to a million and a half pounds; all above that amount was to be burned by government inspectors. It was much easier to pass these laws, however, than to enforce them. Consequently, tobacco production mounted rapidly: to three hundred thousand pounds in 1624, five hundred thousand in 1628, and four million in 1640. But as this amount increased, the price obtained declined in proportion.

This situation helped to promote some agricultural diversification. More and more corn was grown, wheat production increased, and a great variety of vegetables was produced. Livestock raising gained increasing attention, with emphasis on cattle, hogs, and goats. Yet the principal money crop continued to be tobacco.

Population also increased rapidly, and by 1642 had reached at least eight thousand. Many of the new arrivals were of the servant class; though some of them were ex-convicts and others were lazy, the majority were welcome additions. The numerical growth meant that more territory was settled, new communities sprang up, and new counties had to be created, principally northward toward the Potomac River. The general trend of settlement was along waterways, so that the farmers and planters could more easily ship their exportable produce to Chesapeake Bay and thence to England. The agricultural basis of Virginia's economy likewise meant that town life was relatively unimportant.

¹⁴ See p. 60.

The territorial expansion of Virginia meant more Indian troubles. The tribes that were compelled to give up their lands became increasingly hostile, and their raids on outlying farms and plantations were more frequent. Yet there was no such danger as there had been in 1622, for Virginia was now strong enough to cope with the situation.

MARYLAND: FIRST SUCCESSFUL PROPRIETARY COLONY

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The colony of Virginia originated as a commercial venture and continued under a corporation until 1624. Then it became a royal colony, and remained so until the outbreak of the American Revolution. On the other hand, Maryland began as both a commercial and religious enterprise, and remained a proprietary colony until the close of the colonial era.¹ The last English province to be settled before the English Civil War halted colonization, Maryland was founded and developed by the Calvert (Lord Baltimore) family, which envisioned a great manorial estate and also a refuge for persecuted fellow-Catholics from England and other countries of western Europe.

Early Colonizing Efforts of George Calvert. George Calvert, the first Lord Baltimore, was described by a contemporary as "a forward and knowing person" in political and diplomatic matters. He was an Oxford graduate, clerk of the Privy Council, member of Parliament, one of the principal secretaries of state, stockholder in both the East India Company and the London Company of Virginia, member of the Council for New England and of the Committee of the Council for Plantation Affairs. Just as important, he was a personal friend of James I and an advocate of the "Spanish Marriage." Calvert was knighted for his public services in 1617 and created Baron of Baltimore, an Irish title.

Two years later he participated in an abortive attempt to settle Walloons and French "of the reformed religion" in America. Shortly afterward he purchased a tract called Avalon in southeastern Newfoundland, for which he obtained a proprietary charter from James I in 1623. Calvert sent over settlers and ordered the building of storehouses, granaries, and dwellings, including a "pretentious" one for his family. He visited his settlement at "Ferryland" in 1627, and the next year brought in forty new colonists, including his wife and part of his family.

The Avalon colony failed, however, first because of Puritan opposition in Old and New England. Next, the settlement was attacked by three French ships,

¹ The government of Maryland was royalized in 1691, though Lord Baltimore retained title to the soil. In 1716 proprietary rights in government were restored; see p. 215.

carrying some four hundred men. Writing from Ferryland in August 1628, Calvert said: "I came to build, and settle and sow, and I am fallen to fighting Frenchmen." The colony survived the attack, but the following year was one of disappointment, disease, and death. In a letter to Charles I in August 1629 he wrote:

I have met with difficulties and encumbrances here which in this place are no longer to be resisted, but enforce me presently to quit my residence and to shift to some warmer climate of this New World, where the winters are shorter and less rigorous. . . . From the middle of October to the middle of May there is a sad fare of winter upon all this land, . . . I am determined to commit this place to fishermen that are able to endure storms and bad weather and to remove myself with some forty persons to your Majesty's dominion of Virginia.

So the experiment at Avalon was abandoned.

Calvert then went to Jamestown in October 1629, where he was cordially received by Governor Harvey, though William Claiborne and other Virginia leaders suspected he had designs on the colony. He was therefore ordered out because of his refusal, as a Catholic (he had been converted in 1625), to take the oath of allegiance and supremacy. He did not help his case when he said he would only take an oath of his own making.

The Maryland Charter. Calvert yearned for a warm climate such as he had found in Virginia, and, when he returned to England, asked Charles I for a "precinct of land" in the unsettled portion of that colony. His health was poor, and he had already lost more than £200,000 in the **Avalon venture**. The king had received protests from Virginia against such a grant and advised Calvert against further colonizing efforts, but he persisted, so Charles I, eager to befriend a loyal supporter of the royal family, granted him the unoccupied land between Chesapeake and Delaware Bays. This area, originally part of the Virginia grant of 1609, had reverted to the crown in 1624; consequently, it might be given without serious complaint from Virginia and serve as a buffer against possible encroachment by the Dutch, then settling New Netherland. The king suggested that the colony be called *Mariana* in honor of his queen, Henrietta Maria, but Calvert objected to this title. Therefore the charter, written in Latin, used the name "*Terra Mariae*," or Mary's Land.

George Calvert died in April 1632, before the charter passed the seals; it was issued to his son **Cecil, second Lord Baltimore**, in June 1632. The charter was modeled on that of Avalon, and "conferred on the grantee probably the most extensive political privileges ever enjoyed by an English subject, since the great houses had bowed before the successive oppression of Yorkist and Tudor rule."

It made Lord Baltimore and his heirs "the True and Absolute Lords and Proprietaries of the Region aforesaid," with title to the soil and with supreme political authority. Baltimore was given all the rights and powers "to be had, exercised, used, and enjoyed, as any Bishop of Durham, within the Bishoprick or County Palatine of Durham, in our Kingdom of England, ever heretofore

hath had, held, used, or enjoyed, or of right ought to have, hold, use, or enjoy." In exchange he must pay one fifth "of all Gold and Silver Ore" to the crown, and "two Indian Arrows of those Parts . . . every year." The sovereign powers of the "true and absolute" proprietor included the right to govern and appoint public officials, coin money, grant titles of nobility, erect manors with courts-baron, pardon criminals, raise armies, and make war and peace. The possibility of abuse of these powers was checked by the provisions that required allegiance of the proprietor to the king, by the stipulation that the laws must be consistent with those of England, and, even more important, by guarantees to the people of their legal rights as Englishmen.

The charter made the southern boundary the southern bank of the Potomac River (thereby placing that river entirely in Maryland), the northern limit at forty degrees north latitude, and the east-west boundary from the Atlantic to "the true Meridian of the first Fountain of the River of Pattowmack" (the source of the Potomac), thence south to that river. The vagueness of these boundaries led to a prolonged dispute with Virginia, which was not settled until 1786, and with Pennsylvania, not solved until the so-called Mason and Dixon line was completed in 1767. The fact that Maryland had a definite western boundary and no sea-to-sea claim as had Virginia, Carolina, and several other colonies proved of great historical significance at a later date.

The peculiar phraseology of the Maryland charter also caused controversy in other respects. Calvert had originally petitioned the crown for authority "that he may transport by his own Industry and Expence, a numerous Colony of the English Nation, to a certain region . . . in a Country hitherto uncultivated, in

Cecilius Calvert, Second Lord Baltimore.
(Courtesy of Enoch Pratt Free Library, Baltimore, Maryland)



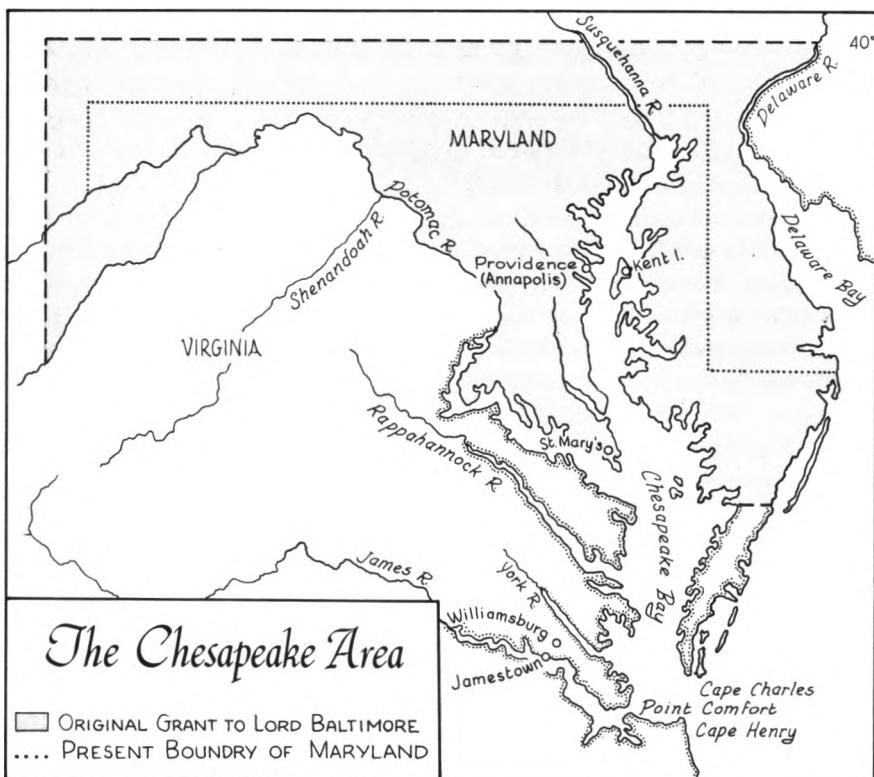
the Parts of America, and partly occupied by Savages, having no knowledge of the Divine Being." And to make clear the complete separation, it was agreed that his colony should not ever be "Part of the land of Virginia."

The Kent Island Controversy. The charter phrase "in a Country hitherto uncultivated," plus the fact that Kent Island in Chesapeake Bay lay within the territorial limits of Maryland, led to prolonged and bitter controversy. William Claiborne of Virginia, acting under its authority, had established a trading post on Kent Island, also called Claiborne's Island, "long before the name of Maryland was even heard of." When the first Maryland settlement was made at St. Mary's in 1634, there were at least a hundred settlers on that island, who were represented in the Virginia legislature.

Governor Leonard Calvert, with the support of Lord Baltimore, promised not to interfere with Claiborne's title if he submitted to the government of Maryland. But Claiborne, backed by the Virginia Council, by some members of the old Virginia Company who had helped finance his trading ventures, and by Calvert's religious enemies in Maryland, refused to accept the proposal. Marylanders and Claiborneites finally came to blows, and the Maryland legislature passed a bill of attainder for Claiborne's "sundry contempts, insolencies, and seditious acts, mutinies, commanding sundry persons to commit piracy and murder." When he was found guilty, his property was forfeited to Lord Baltimore. Long and involved legal proceedings ensued, and English authorities finally awarded Kent Island to Maryland. Claiborne took his revenge when he became one of the commissioners in charge of Maryland's provisional government more than a decade later.

The Settlement of Maryland. Cecil Calvert had intended to lead the first expedition to Maryland, but he had to remain in England to defend his charter against the attacks of the old Virginia Company. Nevertheless, his "Letter of Instructions to the Colonists," written before the first settlers left, reveals the most thoughtful planning made for any of the English colonies. Among other things, the colonists were instructed to avoid religious disputes, so "that there be peace and unity"; that the expedition not go near Jamestown; and that the site be "healthful and fruitful, easily fortified, and convenient for trade." In addition, they should "have a good correspondency" with Virginia, and build a fort, a church, and a chapel, as well as houses "in as decent and uniforme a manner as their abilities and the place will afford, and neer adjoyning to one another." For a livelihood, they should survey the land and then grow corn and other crops; for industry, they should find places to make salt, saltpeter, iron, and other commodities. In an effort to promote settlement and avoid trouble, they should "bee very careful to do justice to every man without partiality," and "avoid any occasion of difference with those of Virginia and to have as little to do with them as they can this first yeare." For defense of the colony, all men were to be trained in military discipline.

Next, Lord Baltimore selected for the first settlement about twenty gentlemen,



mostly Catholics,² and more than two hundred artisans, chiefly Protestants, over whom his younger brother Leonard was to govern. The expedition left England in October 1633 aboard two pinnaces, the *Ark* and the *Dove*, and anchored off Point Comfort in February 1634, where it was courteously received by Governor Harvey, to whom Calvert delivered a "Butt of sack."

The group then sailed to the mouth of the Potomac and established St. Mary's, located on a high bluff overlooking the river, which the Jesuit father, Andrew White, described as "the sweetest and greatest river I have seen, so that the Thames is but a little finger to it." Father White added that the settlers could not "set down a foot, but tread on Strawberries, raspberries, fallen mulberries vines, achorns, walnuts, sasafras. . ." Governor Calvert was even more enthusiastic, writing that St. Mary's had

a very commodious situation for a town, in regard the land is good, the air wholesome and pleasant, the river affords a safe harbor for ships of any burden, and a very bold shore; fresh water and wood there is in great plenty, and the place so naturally fortified, as with little difficulty, it will be defended from any enemy.

² Before sailing, they were required to take an oath of allegiance to the king. No truly conscientious Catholic could do this. Three Jesuit priests were secretly taken aboard at Southampton.

The Maryland colony was successful from the start. Carefully planned and ably governed, it averted the difficulties and sufferings of Virginia because of the wise selection of settlers, its healthful location, private ownership, the weakness of the Indian tribes,³ the willingness of the natives to sell their lands and move on, the experience of Virginia, and, perhaps more than anything else, the personal interest of the Calvert family.

An important example of that personal interest was contained in Lord Baltimore's "Offers to Settlers," one of the most informative documents relating to the founding of any colony. He offered a thousand-acre manor to any person transporting five men between the ages of sixteen and fifty and equipped with all the "necessary provisions." Such a lord of the manor was to pay the proprietor a quitrent of twenty shillings a year for each thousand acres. Anyone bringing fewer than five men should have a hundred acres for himself and the same amount for each of the others, at a rent of two shillings "in the Commodities of the Country." A man bringing his wife and family was to receive one hundred acres for himself and his wife, and fifty acres for each child, at a rental of twelve pence per fifty acres. The same offer was made to any woman, and she was allotted an additional fifty acres if she brought a servant under forty years of age.

The "necessary provisions" began with foodstuffs—meal, oatmeal, peas, oil, vinegar, aqua vitae, salt, sugar, spice, and fruit. "Apparell" for each person meant caps or hats, falling bands (collars), three shirts, one wastcoate," a suit of canvas, a suit of frize, a coarse cloth coat, three pairs of stockings, six pairs of shoes, and broad tape for garters. "Bedding" for each person included two pairs of sheets, canvas, and a rug. "Armes" consisted of one musket, ten pounds of powder and forty of lead, bullets, one sword, one belt, and a "flaske." "Tooles" included broad hoes, narrow hoes, broad axes, felling axes, steel handsaws, whipsaws, hammers, shovels, spades, augers, chisels, piercers, gimlets, hatchets, grindstones, nails, and pickaxes. "Household Implements" consisted of such articles as iron pots, frying pans, gridirons, kettles, skillets, spits, platters, dishes, and spoons. The total cost of all these "necessary provisions" was estimated at £20.15.4 per person.

"Provision for Ship-Board," paid by Lord Baltimore, included "wheat flour, claret wine, sack, conserves, marmalade, suckets and spices, sallet oil, prunes to stew, Live Poultry, rice, butter, Holland cheese, Cheshire cheese, bacon, pork, beef, legs of mutton minced, and juice of lemons." Baltimore also drew up "A direction for the choise of servants," and drafted the "Forme of Binding a Servante." The trades most sought were those of carpenter, millwright, shipwright, wheelwright, brick maker, bricklayer, potter, joiner, cooper, turner, sawyer, smith, cutler, leather-dresser, miller, fisherman, and "Gardiner."

Government Problems. There had to be a government for the many people the proprietor hoped to attract to Maryland, and in establishing one Baltimore encountered numerous problems. The charter stated:

³ It is true there were some Indian difficulties, in the period 1639–1644. Governor Brent, as a result, authorized the settlers "to shoot them whatsoever Indians they are."

We . . . do grant unto the said now Baron . . . and to his Heirs, for the good and happy Government of the said Province, free, full, and absolute Power . . . to Ordain, Make, and Enact Laws, of what kind soever, according to their sound Discretions, whether relating to the Public State of the said Province, or the private Utility of Individuals, of and with the Advice, Assent, and Approbation of the Free-men of the same Province, or the greater Part of them, or of their Delegates, or Deputies, whom We will shall be called together for the framing of Laws. . . .

The first legislature of which there is adequate record, called under this provision, met at St. Mary's early in 1638.⁴ It consisted of the governor, named by the proprietor, members of his appointive council, the commander of Kent Island, twenty gentlemen-planter, and one artisan—all personally selected by the governor. The following year, however, the legislature was elected for the first time by the qualified voters, with one or two representatives from each of the local units—at that time the hundreds. From this date until 1650 the assemblies were in some cases primary bodies, and at other times consisted of elected representatives.

A peculiar feature of the Maryland legislature was the proxy system, under which delegates who did attend the sessions could vote for those who did not. This method worked to the advantage of the wealthy land owners, who were frequently able to dominate the lawmaking body. In the 1641 assembly, for instance, Giles Brent had seventy-three proxies, or a majority of the legislature. There were several other unique features in the early days. Attendance, either personally or by proxy, was compulsory; clergymen, even though delegates, could not vote, and later they were even denied membership; representatives sat with their hats on, uncovering only when they spoke; sessions began at eight o'clock in the morning; and no delegate was allowed to "refute the speech of any other with any uncivil or contentious terms, nor shall name him but by some circumlocution."

From the outset there was controversy between the proprietor and the delegates. Baltimore wanted to initiate all measures, and have the representatives merely approve or reject them; they were not to amend his work or introduce bills of their own. The delegates, however, asserted that the charter clause providing for "Advice, Assent, and Approbation" was similar to the authority of Parliament, which had the right to initiate. The first test of strength came in 1638, when the delegates overwhelmingly rejected a well-planned code of laws that Baltimore had drafted. The only support came from the governor and his secretary; thus, the lines of battle were definitely drawn. In turn, the proprietor vetoed assembly-drawn bills, even though they were similar to what had been included in his code. Before the end of 1639, however, Baltimore, realizing the need of harmony, did allow the legislature to initiate laws, and he merely exercised his veto when he believed the measures unwise.

The constantly changing composition of the legislature, and more particularly, the power of the governor and his council who sat with the popular representatives, caused a demand in 1642 for a bicameral legislature. Baltimore refused

* There was one earlier—in 1635—that drew up a code rejected by Baltimore.

to consider such a change. The struggle continued, however, and in 1650 the people finally won. Thereafter, the upper house was made up of the governor's council and those who were specially invited by him; the lower house contained only the delegates elected by the hundreds⁵ or other local units.

The Manorial System. From the outset, Baltimore planned a colony of large feudal estates, controlled by lords of the manor and peopled by farmers and artisans. This was indicated in his "Offers to Settlers," whereby a gentleman who transported five men to the colony could obtain as many as one thousand acres. There were at least sixty such manors organized during the first forty years of Maryland's existence, and they were the major units of local government during most of the seventeenth century. True, the proprietors had looked forward to the establishment of towns and cities, and had set up hundreds as their basis. But Maryland was no more destined at the time to be urban than was Virginia.

Although the lord of the manor was theoretically a supreme ruler over his numerous tenants, actually manorial government was quite democratic. All the tenants attended the court-baron or court-leet⁶ for which the charter provided, and there they passed local ordinances, elected the lesser officials, and tried cases of a manorial nature. Thus there developed a sense of democracy and equality, quite similar to that of a New England town meeting. Some of the manors were even allowed to hold courts of "pie-powder."⁷

Another form of local government was the county. There were four established by the middle of the seventeenth century: St. Mary's, Kent, Charles, and Anne Arundel. They were administered in somewhat the same fashion as in Virginia, and by 1700 had largely supplanted the manors as the more important local agencies. This was principally because the tenants, lured by easily available and cheap land elsewhere, gradually left the manors. The decisions of the manorial and county courts were, of course, not final. Appeals could be made to the colonial court, of which the governor and council were leading figures.

Religious Problems. The religious policy of Maryland must be considered against the English background. The king was the head of the Established (Anglican) Church, and uniformity in religion was expected. The two best-known measures designed to achieve this objective were the Act of Supremacy and the Act of Uniformity.⁸

Under the circumstances, there were naturally many severe anti-Catholic

⁵ The hundred in England was a subdivision of the shire or county, but in Maryland it was a subdivision of the parish. By the latter part of the seventeenth century the Maryland hundred had ceased to be the unit of representation in the assembly, though it remained the unit for levying taxes and recruiting the militia until statehood was achieved.

⁶ The court-baron was originally one in which a lord exercised his private jurisdiction; later it was simply a civil court. The court-leet was concerned with criminal cases.

⁷ Pie-powder (from the French *pieds poudreux*—literally "dusty feet") courts were relics of the medieval fairs. These courts were held on the spot to deal with infringements of rules and regulations of the fairs.

⁸ See p. 70.

laws. Catholics were forbidden to practice law, to attend universities, or to teach school. Certain offenses were punishable by death: the third refusal to take the oath of supremacy, calling the king a heretic, or the presence of a priest in England. Catholics were fined for not attending Anglican services, for having arms in their homes, for educating their children abroad, for supporting Catholic teachers, and for converting Protestants to Catholicism. That these measures were carried out persistently and consistently is shown by the fact that James I collected £36,000 in one year alone from Catholic fines. According to court records, in the decade ending in 1619 some eleven hundred indictments were handed down in Middlesex for not attending Anglican services. Many anti-Catholic laws were not, however, rigidly enforced by either local officials or the crown, but James I enjoyed the hold these measures gave him over his subjects.

Because the Catholic Church was illegal in England, it is obvious why there was no mention of it in the charter to the Catholic proprietor of Maryland. In regard to religion, the document granted Lord Baltimore "the Patronages and Advowsons⁹ of all Churches which . . . hereafter shall happen to be built . . . according to the Ecclesiastical Laws of our Kingdom of England." This was a vague statement, with no prohibition against the Catholic Church.

Nevertheless, Lord Baltimore faced a difficult situation. He realized that Catholics were unpopular both in England and the colonies. The majority of the Maryland settlers were Protestant, even though the officials and religious leaders were Catholic. If he was to afford refuge for members of his faith, and at the same time avoid trouble with the king and with local Protestants, he must pursue a liberal policy. Toleration, therefore, would be not only a legal necessity, but good business. Accordingly, Baltimore ordered colonial officials to put this policy into effect:

His Lordship requires his said Governor and Commissioners that in their voyage to Maryland . . . that they suffer no scandall nor offence to be given to any of the Protestants, and that . . . they cause all Acts of Romane Catholique Religion to be done as privately as may be, and that they instruct all the Romane Catholiques to be silent upon all occasions of discourse concerning matters of Religion; and that the said Governor and Commissioners treat the Protestant with as much mildness and favor as Justice will permit.

The policy of toleration, however, caused opposition from both Jesuits and Puritans. The Jesuits had plans to convert the Indians and to develop a Catholic colony. They therefore purchased large tracts of land from the natives, issued a declaration of Jesuit supremacy, refused to acknowledge the validity of colonial laws, and recognized only those of the Catholic Church. These actions, violating the English statutes, alarmed Baltimore and endangered his charter. Accordingly, in 1637 he informed the crown that in Maryland the privileges of the Catholic Church were dependent on the laws of England and of the local legislature. When Jesuit leaders threatened him with excommunication, Baltimore sternly replied that if their claims were admitted, "laymen were the basest

⁹ These were the ecclesiastical benefits derived from land.

slaves and most wretched creatures on earth." And in 1641 the proprietor forbade the Jesuits to own more land than necessary for their support. He also declared that members of the Order were subordinate to him. Royal and papal endorsement of his position marked the end of Jesuit political efforts in Maryland.

Puritan opposition to Baltimore's religious policy was more prolonged and bitter. Soon after St. Mary's was founded, Puritans entered the colony—a few from England, many from Virginia. Their determination to control the province was stimulated by the increasing power of their party in England and by steady immigration. An indication of their growing strength was shown in the treatment of their opponents. In 1641, Thomas Gerrard, the Catholic lord of the manor of St. Clements, locked the Protestants out of the chapel at St. Mary's. So irate were the Protestants throughout the colony that the Catholics feared firm retaliation. Therefore, a Catholic jury fined Gerrard five hundred pounds of tobacco, the proceeds to be used to support some Protestant minister. Then, as Protestants dominated the legislature, they were able to pass a law providing the death penalty for blasphemy against any "Person of the Holy Trinity."

The Civil War in England¹⁰ had its counterpart in the Puritan Revolt in Maryland from 1644 to 1649. Governor Calvert had to flee to Virginia to escape capture by Puritan rebels. As a concession to this rising Protestant influence, Baltimore, in 1648, replaced the Catholic governor, Thomas Greene, with William Stone, a Puritan recently arrived from Virginia. He also reorganized the council, making half of its membership Protestant, and promised to maintain religious liberty in Maryland. The oath he required of Stone illustrates the problem Baltimore faced:

I doe Sweare I will be true and faithfull to the Right Honourable Cecilius, Lord Baron of Baltimore, . . . I do further Sweare I will not by my selfe, nor any other person directly, trouble, molest, or discountenance any person whatsoever in the said province professing to beleieve in Jesus Christ, and in particular no Roman Catholick, for or in respect of his or her Religion, nor his or her free exercise thereof.

The Toleration Act. These bitter interdenominational battles finally made the proprietor realize that the only solution was to try to make each faction tolerate the other. Only by such means could peace be restored and Catholics survive in the face of growing Protestant strength. Consequently, he initiated the measure that was passed in 1649 as the famous Toleration Act.¹¹ This law provided death for the crime of blasphemy and for violations of the Sabbath, and virtually outlawed those who questioned the divinity of Christ. The most important clause read:

Noe person or persons whatsoever within this Province . . . professing to believe in Jesus Christ, shall from henceforth bee any waies troubled, Molested or discountenanced

¹⁰ See pp. 127-128.

¹¹ Lord Baltimore was subsequently praised for his liberalism. Actually, however, he sponsored the act to guarantee toleration of his fellow Catholics, not to aid freedom of worship for all.

for or in respect of his or her religion nor in the free exercise thereof within this Province . . . nor any way compelled to the belief or exercise of any other Religion against his or her consent.

Although this Toleration Act was an important landmark in the history of religious freedom in America, religious dissensions continued in Maryland. In fact, they became more bitter, and there was actually more persecution after 1649 than before. This was partially the result of the situation in England: the execution of Charles I and the dominance of the Puritans, headed by Oliver Cromwell.

Economic Growth. Nevertheless, the Toleration Act helped Maryland become a refuge for many oppressed Protestant sects. With a salubrious climate, fertile soil, excellent waterways, a liberal land policy, and good advertising, the colony's economic growth was steady, though not spectacular. The pattern of agriculture was quite similar to that of Virginia. These "two fruitful sisters," as John Hammond called them, produced about the same type of crops and used the same type of agricultural labor; indentured servants¹² constituted the bulk of the labor force, and Negro slaves were few in number.¹³ Most of the plantations or farms were on or very near navigable waterways; the same ships took their tobacco to England and brought back clothing, farm tools, and assorted manufactured goods. Both colonies had the same farm problems—notably the overproduction and falling prices of tobacco.

In some respects, Maryland farming was more diversified than in Virginia. During early years the chief crops were wheat, corn, and "other provisions." As the seventeenth century progressed, however, tobacco became and remained the staple crop, and all efforts to divert the people from "planting this stinking weed of America," as one of Calvert's commissioners put it, were futile.

The manorial system was not a success in Maryland, nor was the semifuedal society for which Baltimore originally hoped. Perhaps one factor was the change in policy; in 1638 a prospective lord of a manor was required to transport ten persons to the colony in order to obtain his thousand acres, and in 1642, twenty persons. Much more important, however, was the abundance of cheap land, the relative scarcity of labor, and the lure of the back country, which combined to deprive the manors of their original tenants. Lord Baltimore contributed, too, when in 1638 he granted one hundred acres of land to every individual who transported himself to Maryland, with a similar acreage for his wife and for each servant, and fifty acres for each child under sixteen years of age. Four years later, the headright was cut to fifty acres, subject to a quitrent of one shil-

¹² See pp. 312-316.

¹³ Oscar and Mary Handlin, in their article "Origins of the Southern Labor System" (*William and Mary Quarterly*, Third Series, Vol. VII, No. 2), insist that there were no slaves in the South prior to the eighteenth century. Although they admit the term was used occasionally, they assert that Negroes were merely "unfree." This thesis, however, has not been widely accepted; most students of the colonial period agree that, legally or not, there were slaves in the South after the middle of the seventeenth century.

ling. As an Englishman who could pay his own way would become a landowner immediately, why should he go as a tenant?

There were two immediate results: the lords of the manor were compelled to rely more and more upon indentured and slave labor to till their estates, now becoming more like the Virginia plantations; and the interior, or back country, was gradually filled by small, independent farmers, who had obtained headrights or had purchased—or just squatted on—their lands.

The life of the indentured servant in Maryland was good; otherwise he would not have gone to the colony, despite his distressed condition in England. To make such service more attractive, the Maryland Council decreed in 1648 that "every man servant of British or Irish descent . . . shall at the Expiration of the Time of their Service . . . be accompted a Planter within the said Province and shall have . . . Land Granted unto him." Thus, when his indenture was completed, he was welcomed by free men as an equal and as a landowner. As a result, democracy was furthered. George Alsop, a former indentured servant himself, said Maryland was "the best poor man's country in the world." Aided by comparative religious toleration and economic opportunities, the population growth was rapid. By 1650 there were probably eight thousand settlers in Maryland. It was primarily a rural population, despite the proprietor's efforts to promote town life.

THE SETTLEMENT OF NEW ENGLAND: THE FOUNDING OF PLYMOUTH



Virginia was settled by a commercial company organized for profit and had an Anglican background. The colonization of Maryland had its origin in the ambitions of a distinguished English family to build up a large manorial estate and a Catholic refuge. In striking contrast, the six New England colonies—Plymouth, Massachusetts Bay, New Hampshire, Rhode Island, Connecticut, and New Haven—were the results of new forces in colonization: Puritanism and seventeenth-century democracy. But such democracy in the New England colonies was not intentional; it developed from circumstances, environment, and economic and spiritual forces beyond the control of Puritan leaders. In fact, in most of the New England colonies, it grew despite the struggle of their leaders against it.

Puritanism, which has a great variety of connotations and meanings, was the result of a revolutionary change in England. It was both religious and political, and to some extent social.¹ It was a reaction against the idea of a universal church and a universal state inherited from the Middle Ages. The universal church was the Roman Catholic Church; the universal state was the Holy Roman Empire. The church and state were almost inseparable; the Church was supported by compulsory taxes, and the state endeavored to enforce obedience to the Church.

The sixteenth century witnessed a revolt against both. The disintegration of the Empire, the result of a rising spirit of nationalism, contributed to the development of national states. The religious revolt against the Church led to Protestantism and the concept of state churches. The idea of identity of church and state—that “the religion of the ruler is the religion of the state”—nevertheless continued.

¹ Some historians have considered Puritanism as an economic movement and have described it as “the ideology of the bourgeoisie.” See R. H. Tawney, *Religion and the Rise of Capitalism* (1926). A recent scholar has pointed out that Puritanism “made converts in all classes—among aristocrats, country gentry, businessmen, intellectuals, freeholders, and small tradesmen.” See Alan Simpson, *Puritanism in Old and New England* (1955).

The Church of England. The details of England's break with Rome during the reign of Henry VIII need not be recounted here.² The Anglican Church, or Church of England, was established by law, and the Book of Common Prayer was adopted in the reign of Henry's son, Edward VI. Under Mary, who was married to Catholic Philip II of Spain, many of these ecclesiastical laws were repealed, and there was a reversion to the Roman Church. The final settlement of the "church question" occurred in the early days of Elizabeth's reign with the passage in 1559 of the Act of Uniformity and the Act of Supremacy, the work of laymen that was opposed by most of the spiritual peers in the House of Lords. The Act of Supremacy restored the Anglican Church, and the ruler became "Supreme Governor of this realm . . . as well in all spiritual or ecclesiastical things or causes temporal." At the same time, all officials in both church and state were required to take an oath acknowledging royal authority and renouncing all foreign jurisdiction. The Act of Uniformity restored the Prayer Book of Edward VI with some modifications, particularly with reference to the communion service; these amendments were designed to please the more moderate Protestants. Under these laws, an English subject's political life depended on the state, his religious life on the state church. Refusal to conform to the state was political anarchy; to the state church, religious anarchy. Hence, the old idea of mutual dependence of state and church became a fixed English policy.

This middle-of-the-road church policy was thoroughly distasteful to the "radical Protestants," popularly known as nonconformists or dissenters, who denounced the Anglican Church as "a halfway house between a corrupt and a pure church," and who demanded reforms of church ritual and government further removed from Catholicism. The best expression of this dissenting opinion was the Millenary Petition, which a thousand signers presented to James I in 1603.³

James I, an ardent exponent of the divine right of kings, considered these criticisms of the Anglican Church as veiled and indirect attacks on the monarchy itself. He accused the dissenters of aiming at Presbyterianism, a form of church government that agreed "as well with monarchy as God and the Devil." He held a series of conferences between Anglican bishops and nonconforming ministers, the best known being the Hampton Court Conference of 1604. The king rejected the ideas of the Millenary Petition and told the bishops that "if once you were out and they [the dissenting ministers] in, I know what would become of my supremacy, for *No Bishop, No King.*" And then he continued

² See A. F. Pollard, *Henry VIII* (1913), H. O. Wakeman, *An Introduction to the History of the Church of England* (1927), W. H. Frere, *The English Church in the Reigns of Elizabeth and James I* (1924), and M. M. Knappen, *Tudor Puritanism* (1939).

³ The dissenters wished the omission of the cross in baptism and the ring in marriage, the ending of the requirement of the cap and surplice, the moderation of church songs and music, and the ending of the teaching of "popish opinions." They likewise desired an improved clergy who would not be compelled to accept the validity of everything in the Book of Common Prayer. Finally, they sought to end excommunication "for trifles and twelve penny matters."

with a more forceful threat: "I will make them conform themselves, or else I will harry them out of the land, or else do worse." Finally, he insisted that all persons "conform themselves" to the Established Church by the following November. A month later, the Archbishop of Canterbury ordered the bishops "to deprive of their livings" all clergy who had not complied; some three hundred ministers were affected.

The Act of 1593 "to retain the Queen's subjects in obedience" was continued by subsequent legislation. This provided that anyone who obstinately refused to participate in Anglican services, or who dissuaded others from attending, and continued to attend his own dissenting church, should be jailed until he conformed. If three months' imprisonment did not bring the desired change, then the culprit should "abjure the realm," his goods and chattels forfeited forever and his lands for life.

Despite these and other harsh laws, as well as the king's strong opposition, most of the dissenters or nonconformists clung to the Anglican Church and endeavored to "purify" it from within of all "popish" practices and other "mummeries." Hence the name *Puritan*.⁴ It should be noted that this group of zealous Protestants was fighting for control of the Church and not toleration within it. In other words, these people still wished a church united with the state, and to which all subjects must belong; that church, however, must not be Anglican, but Puritan.

The Separatists. On the other hand, a much smaller group of dissenters, though wishing the same type of purification, completely rejected the idea of a state church, withdrew from the Anglican communion, and established their own organization. Within this group, each congregation was independent and self-governing, having the power to choose its own minister and other officials, and to adopt its own rules of procedure and form of worship. These Separatists, known also as Independents, or Brownists (after Robert Browne, one of their early leaders), stressed simplicity of worship and democracy in church organization. James I was even more critical of the Separatists than he was of the larger body of Puritans. As the Separatists challenged his headship of the church, it might be only a matter of time before they denied his headship of the state; therefore, they were a much more dangerous element.

In 1602 a small body of Separatists in north-central England withdrew from the Anglican Church and established their own meetinghouses. The most significant of these was founded at Scrooby in Nottinghamshire, about 1606. Its

⁴ There is no agreement among historians as to the exact meaning of the word *Puritanism*. Some scholars have interpreted it as applying only to those "moderates" who hoped to "purify" the Church from within. Others have used the term to include all who refused to conform to the Established Church, ranging all the way from the "moderates" to radical Anabaptists and Separatists who would have no part of the Establishment. See Perry Miller, *The New England Mind: The Seventeenth Century* (1939). Alan Simpson, in *Puritanism in Old and New England* (1955), has pointed out that there were at least three segments among the Puritans: "On the Right, the future Presbyterians; in the Center, the future Congregationalists; on the Left, the Separating Congregationalists."

leaders, William Brewster, keeper of the manor house of Edwin Sandys as well as local master of the post, and John Robinson, a minister, were educated at Cambridge, but most of the congregation "had only been used to a plaine countrie life, and the innocent trade of husbandry."

According to the Act of 1593, such meetings as those of the Scrooby congregation were illegal. Some members were therefore arrested and thrown into "filthy prisons." Others met with much criticism; "they were both scoffed and scorned by the prophane multitude." In 1608 most of the congregation escaped to Holland, "wher they heard was freedom of religion for all men." They originally settled at Amsterdam, where they joined other English religious refugees, but they soon came to dislike the religious and economic atmosphere there. They were in "a countrie wher they must learn a new language and get their livings they knew not how . . . they were not acquainted with trade or traffique, by which the country doth subsist. . . ."

The Separatists in Holland. After a year of hardship and the "grime and grisly face of povertie," as William Bradford put it,⁵ they moved to the university town of Leyden. Here they enjoyed complete religious liberty. They organized their own church, with Robinson as pastor and Brewster as elder. In 1611 they purchased property for their church and enjoyed "much sweete and delightful societie and spiritual comforde together in the wayes of God." They also made a favorable impression on their Dutch neighbors, and seven were admitted as citizens. A Dutch writer of 1620 said: "These English have lived amongst us now this twelve years, and yet we have never had any suit or accusation come against any of them."

Despite these good relations, after twelve years in Holland, and after considerable discussion among the members, they determined to migrate. The motives for their decision were economic, religious, and, in a sense, nationalistic. Bradford emphasized the economic and religious aspects. He desired an easier livelihood for the men whose alien citizenship excluded them from the monopolistic craft guilds of Leyden; they suffered such "greate labor and hard fare" that "many that desired to be with them . . . chose the prisons of England rather than this libertie in Holland." The exiles who turned to farming found it difficult to become accustomed to the Dutch climate and methods. The children, too, had their problems; Bradford wrote:

Many of their children that were of the best dispositions and gracious inclinations, havinge learnt to bear the yoake in their youth, and willing to bear parte of their parents burdens, were often times so oppressed with heavie labors that . . . their bodies

⁵ Bradford, then only sixteen years of age, was a member of the original Scrooby congregation. He went to Holland, where he worked as a weaver and helped make plans for the removal of the group to America. Except for a few years, when he asked to be relieved of the post, he served as governor of the Plymouth colony from 1621 until his death in 1657. His "Of Plimoth Plantation" has been called the finest contemporary account of the founding and early history of an English colony. The best edition of this remarkable book is by Samuel Eliot Morison, *Of Plymouth Plantation, 1620-1647* (1952).

. . . became decrepit in their early youth, the vigour of nature being consumed in the very bud, as it were.

He was also eager to protect their morals from Dutch corruption:

But that which was . . . of all sorrows most heaviest to be borne,—many of their children, by . . . the great licentiousness in that countrie, and the manifold temptations of the place, . . . were drawn away . . . into extravagant and dangerous courses, tending to dissoluteness and the danger of their souls.

Moreover, there was little chance for the congregation to grow in Holland. Hence, the desire to found in America a community on Separatist principles—to lay the foundation “for the propagating and advancing of the gospel of the kingdom of Christ in those remote parts of the world”—was perhaps a more powerful motive. The nationalistic impulse, the wish to found a community under the English flag, was best stated by a contemporary New England writer, Edward Winslow, who emphasized the desire that the children remain English. The whole group was beginning to learn Dutch, to think Dutch, and to marry Dutch; in time this would result in the loss of English ideals and institutions. Another impelling reason was the likelihood that Holland might soon be involved in war, for her truce with Spain was to expire in 1621.

Bradford wrote that the decision to move was reached early in 1617, only after long debate in which the dangers and hardships of the undertaking were stressed. The braver spirits insisted that “all great and honorable actions are accompanied with great difficulties” and must be “enterprised with answerable courages.” These arguments finally prevailed and, “by mutual consent and covenants, that those that went should be an absolute church of themselves.” But there were three necessary steps to be taken before these plans could be consummated: a land grant, financial support, and a charter.

Preparations for Migration to America. It took two years to accomplish the first step. The Separatists originally considered going to Guiana, or perhaps to New Netherland. Thomas Weston, who later furnished the *Mayflower*, advised the Leyden congregation to reject any Dutch offers. Then John Carver and Robert Cushman carried on negotiations with the London Company to obtain a land grant within Virginia. Edwin Sandys, then a leading figure in that company and a personal friend of William Brewster, was at the same time trying to promote migration to the colony. He was largely responsible for the patent for land “at such distance from Jamestown that they would be able to live as a distinct body by themselves under the general government of Virginia.”

As the Separatists were too poor to finance a colony themselves, they opened talks with some London merchants and, following the pattern of Virginia, organized a joint-stock company. This consisted of “adventurers” and “planters,” with shares offered at £10 (the estimated cost of transporting one person to America). Some seventy “adventurers” promised a total of £7,000. Each “planter” or immigrant was given one share for “adventuring himself.” It was agreed that the settlers would be supported from the common stock and that

all produce was to go into the common store. At the end of seven years all land, capital, property, and profits would be divided among the "adventurers" and "planters" on a pro rata basis. In its origin, therefore, the enterprise was both religious and economic. The primary object of the "Saincts"—as the Leyden Separatists were called by Bradford—was religious; the goal of the "Strangers" was profit.

The final problem was to obtain royal sanction to settle in America, for the Separatists needed effective guarantees of legal and religious rights. Accordingly, they petitioned James I, careful to declare their loyalty to him, but he refused them legal sanction. He did give, however, an oral promise "that he would connive at them and not molest them, provided they carried themselves peaceably." Their leaders decided that this constituted official approval, for, as Bradford wrote later, if the king wished to harm them, "though they had a seale as broad as the house floor, it would not serve the turne, for ther would be means enow found to recall or revers it."

The Voyage of the *Mayflower*. Not all the Separatists at Leyden wanted to go to America, and the money promised by the London investors had not arrived in sufficient amount to provide passage for all who did. Therefore, it was only a part of the former residents of Scrooby who sold their possessions and purchased the small *Speedwell* (it was only sixty tons) to transport them to England, where they joined a group of London dissenters aboard the larger *Mayflower* (180 tons), which had been hired by Thomas Weston. The leaky *Speedwell* proved unseaworthy, and, after two near-founderinges most of its passengers were transferred to the larger vessel. After more than a month's delay the double-decked, three-masted *Mayflower*, under command of Captain Christopher Jones, "put to sea againe with a prosperous winde" from Plymouth on September 16, 1620.

The majority of the 101 passengers were middle-class folk, most of whom were not Separatists and had not been in Holland. Sixty-six were from London and Southampton, only thirty-five from Leyden. There were twenty boys, eleven girls, and nine "servants." There were more "Strangers" than "Saincts." Among the latter were William Brewster, William Bradford, and John Carver, who was destined to be the first governor of the colony. Among the "Strangers" was Captain Miles Standish, a professional soldier who never asked John Alden, another "Stranger" who had been brought along to look after the beer barrels, to make love to Priscilla Mullins. Also on board were two doctors, Samuel Fuller and Giles Neale. The vessel was overcrowded with the passengers, a crew of forty-eight, and such supplies as salted beef, bread, butter, vegetables, barrels of beer, pigs, goats, chickens, and dogs.

After a sixty-five-day voyage—during which most of the provisions ran out, many passengers became ill, one died, and a boy was born—the *Mayflower* anchored in Provincetown harbor at the tip of Cape Cod on November 21. The venturesome ones had to wade more than half a mile to reach dry land. For some reason, possibly an error in navigation or the result of the advice of Weston to

"have nothing to do with Virginia Company," this landfall was far to the north of the jurisdiction of that company.⁶

The Mayflower Compact. Where they landed, they had no charter from the king, no title to the soil, and their Virginia grant was inoperative. Cognizant of the necessity for some basis of orderly government (Bradford learned that some of the "undesirable lot" boasted they would "use their owne libertie"), forty-one adult males met in the cabin of the *Mayflower* on November 21 and signed the so-called **Mayflower Compact**. This plantation covenant—it was not a constitution because it formed no political organization, mentioned no specific officials, no method of election—was simply an agreement to organize a government. It was a declaration on the part of the signers and a statement of purposes: to plant a colony "for the glorie of God, and the advancemente of the Christian faith, and honour of our king and countrie." It created a government by social compact, in which the signers "solemly and mutually in the presence of God, and one of another, covenant and combine our selves together into a civill body politick" to make laws and constitutions "for the generall good of the Colonie, unto which we promise all due submission and obedience." It was the first example of the plantation covenant later used by many other settlements that had outdistanced established government.

The Plymouth Settlement. The early history of the Plymouth settlement is a story of hardship, sickness, and death. The Pilgrims, as the Separatists were now called, had landed in a "hidious and desolate wilderness, full of wild beasts and willd men." As Bradford recorded, "They had now no friends to wellcome them, nor inns to entertain or refresh their weather-beaten bodys, no houses nor much less townes to repaire too, to seek for succoure." The settlers spent a whole month, with the weather becoming increasingly more severe, exploring the Cape Cod region and trying to obtain foodstuffs from the natives. They found hidden supplies of corn belonging to the Indians—"goodly ears, some yellow and some red, and others mixed with blue"—to which they helped themselves because "it was God's good providence."

The Pilgrims finally decided to seek a better location, and, following a copy of John Smith's "Map of New England," they moved to Plymouth, directly across the Bay from their original anchorage. On December 25—Christmas was a pagan tradition to them—they "went on shore, some to fell timber, some to saw, some to rive, and some to carry; so no man rested all day." By joint labor, they built a "common house," a platform on a hill where their limited artillery was mounted, and laid out two streets. Next, they "divided by lot the plot of ground whereon to build our town, after the proportion formerly allotted. We agreed that every man should build his own house, thinking by that course men would make more haste than working in common." Each dwelling was of frame

⁶ For a fuller discussion of this matter, see Samuel Eliot Morison's edition of Bradford's *Of Plymouth Plantation, 1620-1647*.

construction with a thatched roof. Nineteen families received allotments in proportion to their size; bachelors were required to live with some family.

The first winter was most severe; hunger and disease took their toll, and only about fifty persons survived. Fortunately, some of the Indians were friendly. Squanto⁷ furnished the settlers with more corn, and also showed them how to grow and fertilize it. The Narragansett Indians, however, threatened war the next year. Chief Canonicus sent Governor Bradford a bundle of arrows in a snakeskin, but when the governor returned the skin filled with bullets, the Indians changed their minds. With the coming of spring in 1621, the situation in Plymouth improved considerably. Bradford wrote:

It pleased God the mortalities begane to cease amongst them, and the sick and lame recovered apace, which put as [it] were new life into them; though they had borne their sadd affliction with much patience and contentednes, as I thinke any people could doe. But it was the Lord which upheld them, and had beforehand prepared them; many having long boarne the yoake, yea from their youth.

As in Virginia, the communal system never worked. Bradford expressed the Plymouth situation picturesquely when he wrote:

For this communities was found to breed much confusion and discontente, and retard much imployment that would have been to their benefite and comforte. For the young-men, that were most able and fitte, . . . did repine that they should spend their time and strength to worke for other men's wives and children. . . . The aged and graver men, to be ranked and equalized in labours and victuals, cloaths, etc., with the younger and meaner sort, thought it some indignitie and disrespect unto them. And for men's wives to be commanded to doe service for other men, as dressing their meate, washing their cloaths, etc., they deemed it a kind of slaverie; neither would many husbands well brooke it.

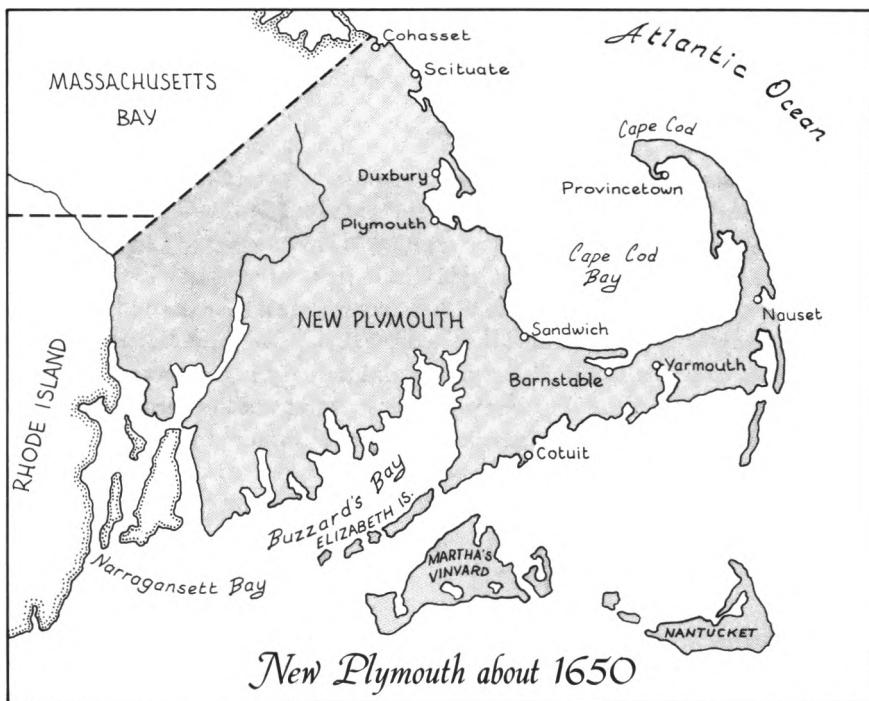
Threat of famine in 1623 led to the abolition of common landholding. Governor Bradford, largely on his own responsibility and contrary to the agreement with the London backers, assigned an acre of land to each family for the planting of corn, as an experiment "for the time only." The results were satisfactory, as the governor recorded:

It made all hands very industrious, so as much more corne was planted than other waise would have been. . . . The women now went willingly into the field, and took their little-ones with them to get corne, which before would aledge weakness . . . whom to have compelled would have thought great tiranie.

Therefore, the next year these grants were made permanent, and "any general wante or famine hath not been known amongst them since. . . ."

But the seventy London merchants who had invested in the colony were unhappy because they were not receiving any financial return. In 1624 they notified the Plymouth officials they were withdrawing further support. Meantime, the colony's economic outlook had improved as production of corn and

⁷ Squanto had been captured about 1614 by one of the captains in John Smith's expedition. The English people objected to enslavement of the natives, so Squanto was returned to his home in 1620. During his captivity he learned some English.



other foodstuffs increased and trade in lumber and furs developed. As the Londoners had a lien on this produce and trade, the Plymouth leaders thought it advisable to end this claim and take over the ownership of the colony themselves. Accordingly, Isaac Allerton was sent to London in 1627 to buy out the merchants' shares. They accepted his offer of £1,800 in annual instalments of £200 and agreed to cancel their claims. This financial obligation was assumed principally by Bradford, Standish, Brewster, and Allerton, who were given a monopoly of the fur trade for six years and became trustees of the colony.⁸

Only now did the colony begin to grow and prosper. All property was divided among the settlers, including nonfreemen, as the communal system was legally replaced by private ownership. Trading stations were founded in the Kennebec and Penobscot regions, and commercial contacts made with the Dutch in New Netherland and with the recent settlements in Massachusetts Bay. Cattle were imported from England, and the settlers began

to prize corne as more pretious than silver, and those that had some to spare begane to trade one with another for small things, by the quarts, potle, peck, etc., for money they had none.

As a result, there also developed a corn surplus, which was exported to England at 6 shillings a bushel.

⁸ Final payment on the debt was not made until two decades later, and then only after five of the eight trustees sold either their homes or farms to obtain the necessary funds.

Population grew slowly at first, being only three hundred in 1630. By 1640, however, it had increased to three thousand, and ten new towns or congregations had been established, among which were Duxbury, Scituate, Yarmouth, Sandwich, and Taunton.

The Government of Plymouth. The Plymouth settlement always had a precarious status. It had no royal charter, and the Mayflower Compact was not binding on the crown. The colony, it is true, did receive a patent from the Council for New England in 1621, but this grant did not mention boundaries or specific territory. It simply authorized the colony to make individual allotments of land in "any place not already inhabited." Then, in 1630, Plymouth obtained a new patent from the Council that finally did define its boundaries, confirmed titles to land as far north as the Kennebec River, and gave the colony free liberty of trade and fishing. But neither patent was confirmed by the crown, and Plymouth never received a royal charter, despite repeated efforts.

This situation pointed up the necessity for a more formal plan of government than the Mayflower Compact, under which the colony had operated during the early years. The executive department consisted of a governor⁹ and seven assistants, or councilors, all of whom were chosen annually "by the vote of the freemen of this corporation." The legislative branch at first was a mass meeting of the forty-one signers of the Mayflower Compact, who were also the first freemen and voters of Plymouth. This unicameral legislature, known as the General Court, possessed the usual governmental powers; it was exceptionally liberal in admitting newcomers to freemanship.

As the population grew and the colony expanded, it became increasingly difficult for the freemen in outlying towns to attend sessions of the General Court. Consequently, in 1636 the three largest towns sent representatives of their freemen to cooperate with the governor and assistants in making laws; the next year the same practice was followed in levying taxes. Therefore, the Pilgrims adopted the "Fundamentals of Plymouth" in 1639, which some writers have called the first code of laws adopted in America by Americans. It legalized the new procedure by stating that the unicameral General Court should consist of the governor, assistants, and representatives, the latter chosen by the freemen of the towns.¹⁰ All laws, including tax measures, must have the "consent of the body of freemen . . . or their representatives legally assembled." In addition, no person should suffer loss of life, liberty, or property except by "some express law" of the colony or of England suitable for the colony in matters "wherein we have no particular law of our own." Guaranteed was trial "by a jury of twelve good and lawful men, according to the commendable custom of England."

Prior to 1660 the right to vote was extended to virtually every adult male. Then, however, a small property qualification was imposed; in 1668 the addi-

⁹ The first governor was John Carver, who died in the spring of 1621. He was succeeded by William Bradford, who was re-elected, except for five years, until 1657. It was largely due to Bradford's able leadership that the colony was a success.

¹⁰ The town of Plymouth sent four representatives; the other towns, two each.

tional requirement was made that a voter must be "orthodox in the fundamentals of religion"—in other words, a church member. Because each congregation was self-governing, Plymouth operated on a relatively democratic basis, despite this requirement.

As towns were organized and the central government became representative, local or town government developed. In the early stages the town officers, such as the constable, were appointed by the General Court. With the passage of time, however, each town became a legal entity. It held regular town meetings in which all residents participated. The selection of local officials and the enactment of local ordinances were the major functions of these sessions.

Plymouth was always a small colony and, after 1630, constantly overshadowed by Massachusetts Bay. Furthermore, it was poorly located for agriculture and trade, and there was no company or Separatist group in England to give it financial support or to send over new settlers. And the people who did move there were without social, cultural, or political distinction. Professor Andrews wrote:

Their intellectual and material poverty, lack of business enterprise, unfavorable situation, and defenseless position in the eyes of the law rendered them almost a negative factor in the later life of New England. No great movement can be traced to their initiation, no great leader to birth within their borders, and no great work of art, literature, or scholarship to those who belonged to this unpretending society.

Yet somehow Plymouth managed to maintain a separate existence until 1691, when it was formally annexed to Massachusetts by royal order.

In spite of her small size and comparative insignificance, the Pilgrims of the Plymouth colony made some significant contributions to American civilization. Among these are the Thanksgiving ceremony; the idea of the plantation covenant as expressed in the Mayflower Compact; the granting of land to nonfree-men; and the congregational principle of church organization that helped to make America a haven for those who were religiously persecuted and to promote political democracy. As Goldwin Smith wrote, "Columbus discovered a new continent, but it was the Pilgrims who discovered the 'New World.' "

THE MASSACHUSETTS BAY COLONY



Following the failure of their several efforts to establish a permanent settlement in the Kennebec region, most of the stockholders in the Plymouth Company lost interest in further adventuring, and, to all intents, the company disappeared. An exception was Sir Ferdinando Gorges, who still believed there were huge profits to be gained from the fur trade and the fisheries in the north. Consequently, he sponsored numerous exploring expeditions to that area, of which the most important was commanded by Captain John Smith, formerly of the London Company. After extensive surveys from the Penobscot River to Cape Cod, Smith concluded that the optimism of Gorges was not unfounded. When Smith returned to England in July 1614, he had a very accurate map of the region he had explored. Prince Charles ordered that the names Smith had given to the various places be kept, and so the name "New England" was henceforth accepted for the northern area.

The Council for New England. Smith's report also persuaded Gorges to establish a new company and, in November 1620, more than a week before the *Mayflower* reached Cape Cod, the king created a "Council established at Plymouth, in the County of Devon, for the planting, ruling, ordering, and governing of New England, in America." This Council for New England, as it came to be called, consisted of forty "persons of Honour or Gentlemen of Blood," each of whom was required to pay £110 into the Council's treasury. It included some who had belonged to the original Plymouth Company of 1606, but most of its members were not merchants. Among the patentees were one duke, two marquis, six earls, one viscount, three barons, nineteen knights, the dean of Exeter, and seven esquires; the whole list read "like an abstract from the peerage." The most active man in the new organization, naturally, was Gorges; others were the Earl of Warwick, the Duke of Lennox, and Sir William Alexander, who first attempted to plant an English colony in Nova Scotia.

The Council was granted all territory between the fortieth and forty-eighth parallels—or from present Philadelphia to Newfoundland—and from sea to sea. It was authorized to plant colonies, to appoint governors and other officials, and to make laws. None could trade or fish within its jurisdiction without license,

which cost "five fishes out of every hundred." The Virginia Company protested this monopoly without avail.

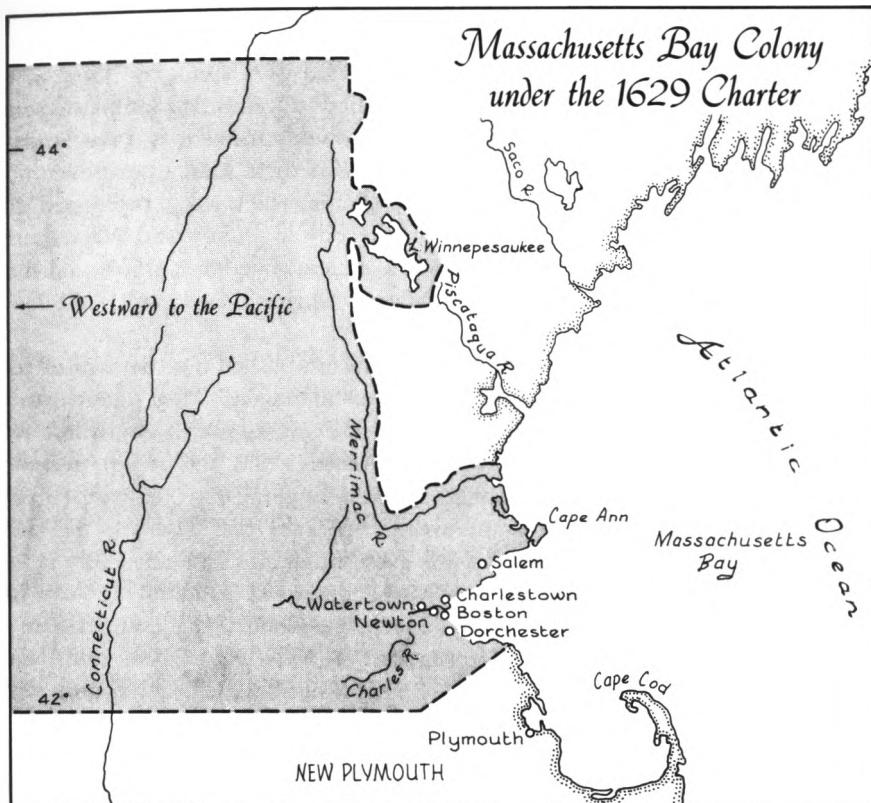
The objectives of the Council for New England were similar to those of the old London Company of Virginia, but its methods differed. It planted no settlements; it made no grants of governmental powers; instead, it gave lands to others who did establish permanent colonies. But these land grants eventually produced many overlapping and conflicting claims, which led to prolonged difficulties and quarrels. The region between the Bay of Fundy and Narragansett Bay was given to twenty different patentees. At least five large grants and many small ones were made; Gorges, John Mason, Christopher Levett, and David Thomson were the principal recipients.

In 1623 a company of Dorchester merchants established a settlement of fourteen men at Cape Ann, with Roger Conant as "manager." They planned to use this as a base for fishing operations, for which they raised £3,000 by selling stock at £25 per share. This project was abandoned when the group moved to Naumkeag and applied to the Council for New England for a charter.

One of the most significant grants was the March 1628 patent to Sir Henry Rosewell and Associates, also called the New England Company. This agency was given a large tract in the present Massachusetts. The following year John Mason and Ferdinando Gorges obtained from the Council the area between the Kennebec and Merrimac, the forerunners of New Hampshire and Maine respectively. And, of course, it was this Council that donated the land on which the Pilgrims established the Plymouth Colony.

The Massachusetts Bay Company. In 1628 the New England Company sent out a group of sixty men, with John Endecott as governor, to establish a trading post and develop the fisheries. They located at Naumkeag, where controversies soon developed with the earlier Dorchester settlers, who considered the newcomers trespassers and questioned Endecott's authority. A compromise was finally reached, and the name Naumkeag changed to Salem—meaning peace. Despite this compromise, Endecott soon realized the need for greater political authority in the region, and on his recommendation the New England Company applied for a royal charter that would confirm its land grant from the Council and bestow governmental powers upon it.

The charter, issued in March 1629, created a corporation of twenty-six members under the title of "the Governor and Company of the Massachusetts-bay in New England," an organization henceforth commonly called the Massachusetts Bay Company. The territorial grant reaffirmed the boundaries of the New England Company: a line three miles north of the Merrimac River to a line three miles south of the Charles River, and "from the Atlantick and western sea and ocean on the easte part, to the south sea on the weste parte." The political features of the charter generally followed those of a typical joint-stock company. The members of the company were called freemen, and only freemen could have a voice in the government, but new freemen could be admitted by old freemen. The government was to be administered by a governor, deputy-



governor, and eighteen assistants, "to be from tyme to tyme . . . chosen out of the freemen of the saide Company." These officials, along with the rest of the free-men, were to constitute the General Court, holding four meetings annually and having the power to create and fill other offices and to make laws "not contrarie to the lawes of this our realme of England." In contrast with the London Com-pany of Virginia and other trading corporations, however, there was no clause fixing the residence of the charter and company. Some years later John Win-throp wrote that there was such a provision in the original draft, but "with difficulty we got this abscinded"; others claim the omission was an oversight. This charter therefore created a purely commercial company, whose objects were fishing, fur trading, profits, and dividends. No religious motive was stated, and the original incorporators were both Anglican and Puritan.

In May 1629 some two hundred settlers were sent to Massachusetts. Most of the rank and file were "servants," but their leaders were merchants—and Puritans. To this point the history of the colony was similar to that of early Virginia, yet it was not long before the commercial company became a self-governing commonwealth.

The explanation of this change in purpose and character is to be found in the

political and religious conditions in England following the accession of **Charles I in 1625**. The new ruler had the same political ideas as his father: *a deo rex, a rege lex*—the king is from God, and law from the king. Charles I was as devoted to the theory of divine-right monarchy as his father had been, and was determined to rule with as little intervention by Parliament as possible. As head of the Established Church, he believed that the safety of the throne depended on the Church. Therefore, he was determined to destroy the rising power of the Puritans in both politics and religion, and in this determination he had the zealous support of William Laud, Archbishop of Canterbury. Thus the issue was joined between king and Parliament, and between Anglicanism and Puritanism.

Persecution of the Puritans. Under the circumstances, the Puritan outlook in England was dark, politically, religiously, and economically. Parliament, dominated by Puritans and anxious to curb the king, compelled him to sign the Petition of Right in 1628, which guaranteed English subjects against arbitrary arrests and freedom from taxation without Parliamentary consent. These safeguards were essential because the Puritans maintained—and rightly—that these rights of Englishmen had been violated. But Charles, ably assisted by Archbishop Laud, soon answered this challenge by dissolving Parliament in 1629, thereby inaugurating a period of “personal rule” that lasted until 1640. During that period he and his archbishop showed their displeasure with the nonconforming Puritans in many respects.

First of all, the dissolution of Parliamentary government meant that the Puritans, who made up the backbone of the gentry, no longer had a voice in government. The Courts of Star Chamber and High Commission punished those who opposed the king or who violated the canons of the Established Church. Laud’s “thorough” policy was designed to make everyone conform to Anglicanism and to restore the old ceremonials the Puritans considered “popish.” Quite a number of Puritan ministers were deprived of their livings, and a few of them were whipped. Puritan writings were banned and sometimes publicly burned. In addition to these political and religious grievances, Charles taxed the people in arbitrary fashion, the famous “ship-money” case being a classic example,¹ and, of course, such levies weighed most heavily upon the Puritan middle class. At the same time, the cloth industry suffered a severe depression, particularly in the eastern and southern counties, which were Puritan strongholds. As a result, unemployment increased, followed by poverty, robberies, and rioting. These economic grievances were the most impelling among the rank and file as reasons for wishing to migrate, but all three factors—political, religious, and economic—influenced the Puritan leaders, such as John Winthrop, to do so.

Winthrop was educated at Cambridge, studied law, held important local

¹ In 1635 Charles, contrary to precedent, attempted to have the inland towns provide warships or the monetary equivalent. John Hampden led the opposition to this form of taxation.



John Winthrop, Governor of the Massachusetts Bay Colony. (Courtesy of the Fogg Art Museum, Harvard University)

offices, was an attorney in the Court of Wards in London, and was squire of Groton Manor in Suffolk County. He had accumulated considerable wealth and a sizable estate, but by 1629 his debts were heavy, and he despaired of the future of England. Writing to his wife in the spring of that year, he said: "I am verly persuaded God will bring some heave Affliction upon this lande, & that speedyle." One of his sons was already planning to settle in Barbados, and the elder Winthrop began to speculate over the possibility of a Puritan colony in the New World. He believed that such an undertaking would render a service to the church: the "true religion" was about to be destroyed in England and all of Europe; the New World would be a refuge provided by God "for many whome he meanes to save out of the generall callamity." Such a colony would also solve England's problem of surplus population; there were so many people in England that a man was "of less prise among us than an horse or a sheepe." Moreover, there was so much extravagance that even men of wealth could not keep up the pace. And corruption in education, morals, and religion in England was demoralizing everyone, especially the younger generation.

The Cambridge Agreement. During the summer of 1629 Winthrop discussed his project with a number of other wealthy and prominent Puritans. In August of that year he and eleven of these men, including John Cotton, Fellow of Emanuel College (Cambridge) and a minister of the Church of England, and Thomas Dudley, member of an old family of the gentry, met at Cambridge. There they pledged to take themselves and their families to New England by March 1, 1630, provided "the whole Government, together with the patent for the said Plantation, be first, by an order of Court, legally transferred and estab-

lished to remain with us and others which shall inhabit upon the said Plantation."

This Cambridge Agreement raised the question of whether the transfer could be legally made. The legal residence of the Virginia Company was in London and that of the Council for New England in Plymouth, England, but the "mysterious feature" about the Massachusetts Bay Company's charter was the absence of any clause as to its residence. As it was obviously useless to apply to the king for the permission requested in the Agreement, secret negotiations were held with the Bay Company, and at a meeting in August 1629 the company accepted the principles of the Cambridge signers. Officials of the company who did not wish to migrate resigned, and their stock was purchased by the signers. Then Winthrop was elected governor and Dudley deputy-governor. The Massachusetts Bay Company thus passed out of the hands of commercial investors into the hands of religious reformers, and the government was controlled by those who agreed to migrate. The company therefore became a colony, the stockholders became settlers, and the company regulations became laws of the colony. The result was "something of a phenomenon in colonial history."

The Great Migration, 1630–1643. The first contingent, headed by Winthrop, sailed for Massachusetts in March 1630, carrying the charter with it. During the rest of the year seventeen ships transported about two thousand more settlers to the Bay Colony. The first winter was so severe that some two hundred died, and a similar number returned to England. This high mortality probably explains the small migration during the next two years. After 1633, however, the Puritan migration became so large that the English authorities feared that "suffering such swarms to go out of England will overthrow trade," and a few feeble and unsuccessful efforts were made to check it, but it lasted until about 1643. During that decade more than two hundred ships left the mother country for Massachusetts Bay, at a cost of approximately £200,000, and carrying about twenty thousand people, to make "the greatest colonizing exodus that England has known in the entire history of her colonizing efforts." At the decade's end the colony's population was estimated at but sixteen thousand, for some had returned to England, some had moved to other colonies, and many had died. Twenty-two towns had been established, however, including Boston, Cambridge, Watertown, Salem, and Charlestown.

Of this large migration only about four thousand were members of Puritan congregations. This indicates that such economic motives as relief from financial burdens, desire for land, escape from the guild system, and general improvement of their lot were more impelling motives for the majority.

Charter Complications. Both Charles I and Archbishop Laud soon resented the colony's independence in government and church. They were especially disturbed by reports—which were true—that Anglicans were disfranchised. They had also received numerous complaints that Massachusetts was encroach-

ing on neighboring grants, particularly the Gorges-Mason patents in the Maine-New Hampshire region. Therefore, Charles I decided to call for the colony's charter. He was astounded to learn of its transfer to America, and in an unofficial letter to the colony leaders, ordered them to produce it. They answered by requesting an *official* copy of this royal order, which was thereupon sent, but instead of producing the charter, the officials replied that they could not send it without an order of the General Court, which would not meet until September 1635. Thereupon the king took legal steps to have the charter annulled by a writ of *quo warranto*; that is, he ordered Massachusetts to send representatives to England to explain "by what right" they held their charter. When the Bay authorities again refused to comply, *quo warranto* proceedings were started in 1636. The court decision was against the colony; two years later Charles I again demanded the return of the charter and drew up plans for royal government in Massachusetts.

The colonial General Court then queried the local Puritan clergy as to what should be done if a royal governor were sent over. The virtually unanimous reply was: "We ought not to accept him, but defend our lawful possessions (if we are able), otherwise to avoid or protract." Thus, once again, Massachusetts refused to heed the royal orders, and instead prepared to offer resistance by strengthening the colonial militia and fortifying Boston harbor.

In 1639 Sir Ferdinando Gorges was appointed governor-general of New England. Again the colony adopted dilatory tactics—and its policy was successful. Gorges was delayed in sailing for his new post; finally, his ship "broke in the launching," and he never did reach New England. Shortly thereafter, the Long Parliament convened in November 1640, and two years later the Civil War started. The king was too busy fighting Puritans in England to carry out his plans for royalizing the Puritans in Massachusetts. The king's supporters were defeated in 1646, three years later the king was beheaded, and the Puritans were in complete control. The Commonwealth and Protectorate governments (1649-1660) were sympathetic toward the Puritans in America, and the Massachusetts charter was saved. By the time of the Restoration of Charles II in 1660, the Bay Colony was firmly established, with a population of forty thousand.

Government Under the Charter. The charter of "the Governor and Company of the Massachusetts-bay in New England" vested authority in the governor, assistants, and freemen of the colony—that is, in the stockholders. The governing body was the General Court, consisting of the above-named and meeting four times a year. At the May session, the Court of Elections, the governor and assistants or magistrates were elected.

At first this government was very autocratic, for freemen constituted an infinitesimal part of the total population. In 1630, for instance, when the charter was transferred to America, there were only twelve stockholder-freemen, and deaths soon reduced this number to eight. Thus, a handful governed two thousand, but from the beginning the people (or nonfreemen) demanded a voice in the government. When the first session of the General Court met in October

1630, with only the governor, the deputy-governor, and the other eight freemen present, more than a hundred heads of families applied for admission to the corporation. Governor Winthrop and the other magistrates faced a dilemma. Were the request refused, the applicants might leave the colony for nearby settlements, or go back to England, and Massachusetts Bay might collapse. Were they admitted, on the other hand, the Puritan oligarchy might lose control, and the "Puritan ideal" would be endangered.

In this quandary, the magistrates postponed the answer until the following spring, when something of a compromise was worked out. The General Court of May 1631 decided (1) that only church members were to be admitted as freemen or voters; (2) freemen were to elect assistants, not annually (as the charter provided), but for life; (3) the assistants were to be chosen from members of the General Court; (4) the governor must be elected by and from the assistants; and (5) only the governor and the assistants were to make the laws. The first requirement assured continuance of Puritan control; the rest, control by the oligarchy. Then, having assured almost complete power for themselves, the Puritan leaders admitted 118 new freemen—the first victory for representative government. It should be observed that these five requirements of May 1631 were definite violations of the charter, but the people, and probably the assistants too, were ignorant of its provisions, for Winthrop kept the document in a locked chest.

There were three different elements, often hostile, now in the colony: the assistants, who represented the Puritan oligarchy and somewhat resembled royal and proprietary elements in Virginia and Maryland; the freemen, who constituted the bulk of the Puritan church membership; and the free men, or unfranchised class, who also demanded the suffrage. Conflicts were inevitable, and years of controversy ensued that resulted in (1) an increase in the number of freemen, that is, an extension of the suffrage; (2) participation of the freemen in the election of the governor and in making the laws; (3) the rise of the representative system; (4) the formation of a bicameral legislature, the first in America; and (5) written guarantees of rights and liberties.

The Watertown Protest. The earliest of these controversies was the Watertown protest of 1632. The assistants had voted a tax on each town for the fortification of Boston. The residents of Watertown protested, however, because they had not been consulted, and their town meeting declared "that it was not safe to pay moneys after that sort, for fear of bringing themselves and posterity into bondage." The governor called those responsible for the protest to Boston and severely rebuked them for their action. When they admitted their error, Winthrop absolved them. The "error" was soon revived, however, and the freemen from several towns secretly planned to push through a demand for the yearly election of assistants at the May General Court.

Despite the opposition of the oligarchy, the freemen were able to force through several important changes. One was the provision that each town should send two deputies "to advise with the governor and assistants about the

raising of a public stock." Although this change only concerned taxation, it was a step toward truly representative government. The second prominent concession was the provision that assistants be elected each year. Yet, the freemen's victory in this respect was not complete, because unless an incumbent was defeated, the freemen had no chance to elect someone else.

The Peaceful Revolution of 1634. These compromises considerably encouraged the freemen, though they caused Winthrop much concern. He told the General Court that when the charter was issued, "the number of freemen was supposed to be so few as they might well join in making laws." Now, however, the increase in population made the original method impracticable; "they were grown to so great a body, as it was not possible for them to make or execute laws, but they must choose others for that purpose."

In April 1634, when Winthrop issued writs summoning all freemen to the General Court the following month, eight towns, suspicious of recent developments, sent two representatives each to Boston with a demand to see the charter. The governor could not refuse their request, and they learned that the officials were to be elected annually and that all laws were to be made by all freemen, not merely by the assistants. This so-called first political convention in America called Winthrop's attention to these charter rights. He responded that the rank and file had no one qualified to make the laws.

He was mistaken, however, for when the Court was held in May, each town sent three deputies to join in making the laws, a right they could not be denied. In addition, they sought and obtained several other important gains: (1) annual elections and the ballot; (2) jury trial in important criminal cases; (3) that the General Court must be composed of the governor, the assistants, and deputies from each town; (4) that only a Court so constituted could pass laws and admit new freemen; and (5) that all freemen could attend the early session of the May Court to exercise their franchise. Then, to make their victory more complete, the freemen elected Thomas Dudley to the governorship and admitted more than eighty new freemen who had recently been rejected by the assistants alone. Thus, among other reforms, representative government came into being for lawmaking in Massachusetts. The original ruling group accepted its defeat with good grace, and even Winthrop was compelled to admit, "This court made many good orders."

As more towns sprang up farther and farther away from Boston, it became increasingly difficult for the resident freemen to attend the May Court. Consequently, another democratic innovation came into being with the proxy system of voting. As the freemen wanted to know in advance for whom their proxies would cast their ballots, candidates for the various elective offices were nominated at special meetings.

Gradually, too, more popular participation in government developed. By 1640 the number of freemen had increased to about three hundred, and by 1675 to more than twenty-five hundred. Although this was by no means universal manhood suffrage, only about one fifth of the adult male population having attained

freemanship, there was a much higher percentage of voters in Massachusetts than in contemporary England.²

The First Bicameral Legislature. For a decade after the revolution of 1634, the General Court was composed of two elements: the assistants, sympathetic to the Puritan oligarchy, and the deputies of the freemen, chosen by town meetings and constituting a "republican element." They all sat as one body, and the deputies, as they outnumbered the assistants, could outvote them.

To overcome their lack of numbers, the assistants in 1634 demanded that all measures must have a majority of *both* groups. This proposition was supported by the clergy and was reluctantly accepted by the deputies. This step gave a great advantage to the assistants, who were more united, were in office continuously, and were more experienced politically. It also set the stage for future controversy between the appointed members and the elected ones. The deputies soon realized, therefore, that they would have more power and influence if they sat as a separate house.

Their efforts to do so failed until 1644, when a case involving a stray pig came to trial. Ownership of the animal was being disputed between Mrs. Sherman, a poor woman, and Robert Keayne, a wealthy merchant and money-lender. When a lower court decided in favor of Keayne, Mrs. Sherman, who had considerable popular support because of her opponent's sharp business dealings, charged him with stealing her pig. Keayne retaliated by suing for defamation of character and was awarded damage claims of £20. Once again Mrs. Sherman appealed, this time to the General Court. Although the evidence concerning ownership and slander was not clear, the Court divided along class lines: the assistants supported Keayne, the deputies Mrs. Sherman.³ As neither party had the support of a majority of both groups comprising the Court, the issue was deadlocked and led to the question of whether the assistants, though less numerous than the deputies, should not have a "negative voice" or veto over actions of the people's representatives. Governor Winthrop vigorously upheld such a veto, saying that "if it were taken away," the government of Massachusetts "would become a mere democracy."

The freemen and their deputies bitterly fought this aristocratic opinion, but before the year 1644 was over, the decision was reached that the General Court "should be divided in their consultations, the magistrates sitting by themselves and the deputies sitting by themselves, what the one agreed on they should send to the other, and if both agreed then to pass, etc." Although this establishment

² As will be noted later in greater detail, there were other qualifications for voting. First, there was that of church membership (1631), and, later in the century, property qualifications. Students of Massachusetts history do not agree on the causes for the controversy between the oligarchy and the democratic elements, nor do they agree whether the colony became "democratic" in time. For a recent survey of the different points of view, see B. Katherine Brown, "Freemanship in Puritan Massachusetts," in *American Historical Review*, Vol. LIX, No. 4 (July 1954).

³ The vote of the assistants was seven to two in favor of Keayne; of the deputies, fifteen to eight in favor of Mrs. Sherman.

of a bicameral legislature was at the time considered a victory for the assistants because they could refuse to approve measures passed by the deputies, in the long run it was a victory for the people who, through their representatives in the lower house, were ultimately able to dominate the rest of the colonial government. As Winthrop wrote about the issue, "there fell out a great business upon a very small occasion." The split into two houses was inevitable anyway, but, as one historian has said, "this was the first time that pork got into American politics."

As long as the legislature was unicameral, the governor presided and constantly used his power and influence to force through the measures he supported. With the bicameral form, the deputies chose their own chairman or speaker, drew up their own rules, and determined qualifications of membership. One rule provided fines for members who were late or absent. Voting was by show of hands at first, but gradually it came to be done "by papers." With control over its own affairs, the lower house became more unified, and consequently could present a stronger front against the more aristocratic upper house and executive branch.

Development of Political Institutions. Massachusetts was a new experiment in colonial government. Control was completely in the hands of the corporation in the colony, but it was self-government, not democratic government. The Puritan leaders did not believe in democracy. John Cotton, the "Puritan Priest," said:

Democracy I do not conceive that God did ever ordain as a fit government for either church or commonwealth. If the people be governors, who shall be governed? As for monarchy and aristocracy, they are both clearly approved and directed by Scriptures.

And John Winthrop could find no Biblical warrant for democracy; there had been "no such government in Israel," and "amongst civil [civilized] nations, account the meanest and worst of all forms of government." He advocated instead a "mixed democracy," in which people above the class of laborers might choose the rulers, but those rulers must come from a small, select class of aristocrats. Once chosen, they would govern without popular control or restriction, "for the people, having deputed others, have no power to make or alter laws themselves, but are to be subject."

Calvinism was the basis for their "Wilderness Zion" or "Bible Commonwealth," albeit a Calvinism that had been modified in its transition from Switzerland to England and from England to the New World.⁴ Theirs was to be a colony based on Puritan ideals, governed by Puritan principles, and controlled

⁴ See the various works of Perry Miller, such as *Orthodoxy in Massachusetts, 1630-1650*, *The New England Mind: The Seventeenth Century* and, in collaboration with T. H. Johnson, *The Puritans*, for the underlying religious contributions to New England Puritanism. For an excellent survey of Puritan views, see Edmund S. Morgan, *Puritan Political Ideas, 1558-1794* (1965).

by Puritan leaders, who, incidentally, considered themselves to be the only "elect" among the settlers in Massachusetts Bay. Citizenship and church membership were to be identical, and laws of the Bible, particularly those of the Old Testament, were to be paramount. "In such a church-state, no civil question could be considered aside from its possible religious bearings; no religious opinion could be discussed apart from its political implications." Naturally, the Puritan clergy, headed by John Cotton, cooperated with the political oligarchy in developing the Bible Commonwealth, and the combination of political leaders and churchmen is usually referred to as the aristocratic theocracy. The qualification of church membership for voting, the "election sermons" preached just before the May Court, the reference of political questions by the oligarchy to the clergy for approval, and the synod that took up the case of Anne Hutchinson were some of the instances of the close relationship of church and state in Massachusetts Bay.

But there were three forces in the colony that were inconsistent with these ideals and were destined to modify and finally overthrow them. These were the church-covenant idea, the presence of a large non-Puritan, unenfranchised population, and the development of the town meeting.

The Church-Covenant Idea. From the first settlement of Massachusetts, as in Plymouth a few years earlier, churches were organized on the basis of the "church covenant" and the congregational system. Each church was practically an independent union. After 1634 no new congregation could be formed without approval of both church and state. No man could become a freeman unless he was a member of an approved church, but each congregation, once approved, managed its own affairs and elected its own pastor. It has been said that the Puritans were not democratic but Puritanism was; consequently, the statement that "the democracy of Massachusetts, slow in developing, was the child of the church-covenant and of the frontier, not of the Puritan leaders," is probably not far from the truth.

In theory both church and state were relatively democratic, but in practice they were oligarchic. Out of a population of about sixteen thousand in 1640, only about four thousand were church members. All others, therefore, were disqualified from admission to the corporation. And even among the four thousand church members, only a small percentage were freemen of the corporation—that is, voters. In other words, only a small part of the *free men* were *freemen*.⁵

Yet, from the beginning, there was a strong demand from the nonfreemen for the franchise. The political evolution of Massachusetts revolves around the

⁵ There is considerable difference of opinion among historians about the interpretation of the Massachusetts Bay laws on the suffrage. Some take the position that they were literally enforced, whereas others are of the opinion that they were liberally disregarded. Again see the article by B. Katherine Brown, "Freemanship in Puritan Massachusetts," *loc. cit.*, for a discussion of the various points of view.

struggle between the Puritan "elect" to retain control and the unenfranchised free men to obtain a voice in the government, a struggle ultimately won by the latter. There were two phases of this conflict: the extension by the corporation itself from within, and extension by royal authority from without.

Town Government. The town meeting, described as "the politically active congregation," was the most characteristic governmental institution of Massachusetts and, for that matter, of all New England. This development was the result of a combination of factors—geographic, religious, and economic. The character of the New England soil and climate, the small amount of arable land in proportion to population, short growing seasons, and the rock-bound coast encouraged the growth of commerce, and some manufacturing, rather than staple agriculture, the evolution of small farms rather than plantations, and of village rather than rural life. The congregational system and the church-covenant idea also tended to promote town settlement.

Fishing and whaling, shipbuilding, and trade obviously contributed to the establishment of towns. Perhaps the most important economic factor was the nature of the New England land system, under which the king granted land to the company, or colony, which in turn granted it to the town, which then allocated it among the individual settlers. New England had a planned method of land distribution, far different from the "indiscriminate location" prevailing in most of the other colonies.

Another factor in town organization was the need of protection from Indians. New England had more trouble with the natives than did most provinces. Then, too, danger from the Dutch to the west and the French to the north contributed to the need for compact communities.

Before a town could be established, it was necessary to obtain legal permission, as well as the land itself, from the General Court. In the early days the Court also appointed town officials, such as the justices of the peace, and managed the town's affairs. But the residents of the town also convened to discuss matters of local importance, as the inhabitants of Watertown did in 1632 to protest the tax for fortifications. Gradually, these town meetings came to be held more regularly, until they were convened as often as once a week on prayer meeting nights—another indication of the influence of the church. Dorchester in 1633 was the first community to legalize monthly town meetings, a practice soon followed by other towns. This democratic step evidently developed from the desire of the people to handle their own affairs and problems. Thereafter, though the General Court was still theoretically in charge of local matters, the towns in fact governed themselves.

Town meetings could be attended by two classes of local residents. First, there were the "inhabitants," to whom land had been granted by the town, who were admitted to church membership by vote of the congregation and to citizenship, with full political rights, by vote of the town. The right to vote in town meetings, however, did not automatically mean the right to vote for colonial officials, for there were two types of franchise in Massachusetts, the colonial and the town

franchise, of which the latter was more democratic.⁶ The other group consisted of the "cottagers" or "squatters." They were not landowners, lived in the town only by the town's courtesy, and enjoyed no political rights. In town meetings they could merely voice their opinions, not vote.

As the meetings became regular, the members passed local ordinances, instructed delegates to the General Court, and elected an increasing number of local officials. The most important were originally called "the overseers of the town's occasions," but after 1642 they were usually called the "select men," averaging seven in number and elected annually. The selectmen appointed officials not elected by the town voters, enforced decisions of the town meetings, issued licenses, admitted new inhabitants, served as judges in certain disputes, supervised building of roads and fences, and looked after education and the poor. The town clerk kept the records of the monthly meetings, though he did not do it too efficiently in the seventeenth century. The justice of the peace and the constables were now named locally instead of by the General Court. That administering the town's affairs was a complicated task may be seen by the number of officials Boston had by the end of the century:

2 clerks of the market	2 measurers of boards
4 constables	1 moderator
2 surveyors of highways	2 town criers
2 leather sealers	2 bell men
1 treasurer	1 ferry man
1 recorder of writs	1 town clerk
2 swine reeves	3 fence viewers
1 hog keeper	1 pound keeper
1 sealer of weights and measures	2 school masters
1 water bayley	32 tithingmen
2 packers of flesh and fish	3 to set price of wheat
1 shepherd	3 chimney sweepers
2 cullers of fish	4 overseers of chimneys
1 culler of staves	1 tax commissioner
3 measurers of corn	4 inspectors of brick
4 corders of wood	1 commissioner to carry votes
1 measurer of salt	to shire meet
3 scavengers	3 searchers of powder
1 transporter of hides	

In addition to these more or less permanent staff members, there were temporary appointees for perambulation, inspection of artillery, and many other tasks. The titles of the regular staff give an indication of the multifarious duties with which the town was concerned.

⁶ Opinions differ as to who was eligible to vote in town meetings. Modern historians believe that the voting privilege was extended to many townspeople who were not church members, and that there were numerous church members who did not avail themselves of the franchise. They therefore conclude that the percentage of voters was much higher than earlier historians believed.

Judicial Procedure. With such a large population, among which there were bound to be some lawless persons, it was necessary to establish a form of legal or judicial machinery in Massachusetts. The first judges or magistrates were the assistants. This was only natural, because some of them had been justices of the peace in England. It was also natural that they should continue in the Bay Colony the English procedures with which they were acquainted. Thus, from the beginning, the grand jury and petit jury system was introduced, although it was not until the years 1634-1635 that both types of jury were required by colonial law.

There was still no colonial code, and the oligarchic magistrates were charged by the rank and file with interpreting English common law to their own advantage. Therefore, in 1636, the General Court adopted a resolution that magistrates must "determine all causes according to the lawes now established, and where there is noe law, then as neere the lawe of God as they can." At best this was a vague provision, and still left too much to the frequently arbitrary decisions of the magistrates, who acted as both attorneys and judges, and from whose findings there was no appeal. In the language of Winthrop, "the people thought their condition very unsafe, while so much power rested in the discretion of the magistrates."

Accordingly, the people's deputies in the General Court demanded a written code and, despite the opposition of the assistants, a committee was appointed to draft one. When nothing came of this committee, another was named in 1637; John Cotton prepared a code, but no further action was taken. The following year the freemen of the towns were authorized to propose laws to the governor. Then still another committee was appointed to digest the towns' suggestions.

It was not until December 1641 that a code, largely the handiwork of the Reverend Nathaniel Ward, was adopted by the General Court. This Massachusetts Body of Liberties had several notable features. No punishments could be meted out simply at the discretion of the magistrates; they must be inflicted only under express provisions of the law. Inhabitants were guaranteed trial by jury. Only twelve capital offenses were listed—a small number for the time—and all were based on the Mosaic Law. These offenses included various forms of murder, treason, blasphemy, and witchcraft: "If any man or woeman be a witch (that is hath or consulted with a familiar spirit), They shall be put to death." Were a person to die without a will, his eldest son would receive a double portion of the estate; were there no male heirs, the daughters would inherit equally.

Approximately one hundred "liberties" were included in the code, with subdivisions devoted to the liberties of women, of children, of servants, of "Forreiners and Strangers," and of "the Bruite Creature." A few quotations from the Body of Liberties will be of interest:

Everie married woeman shall be free from bodilie correction or stripes by her husband, unlesse it be in his owne defence upon her assault.

There shall never be any bond slaverie villinage or Captivitie amongst us, unles it be lawfull Captives taken in just warres, and such strangers as willingly selle themselves or

are sold to us. And these shall have all the liberties and Christian usages which the law of god established in Israell concerning such persons doeth morally require.

No man shall exercise any Tirranny or Crueltie towards any bruite Creature which are usuallie kept for mans use.

Although a written code was another step forward in promoting democracy, the Body of Liberties was not wholly satisfactory. Consequently, in 1648 there was a general revision known as the Laws and Liberties of Massachusetts. This amended code was based on the Mosaic Law, English common law, and statutes of England and Massachusetts.

Economic Interests. The inhabitants of the Bay Colony were primarily farmers at the outset, but, thanks to the soil and climate of the region, their methods were very different from those of the Virginians. Their holdings were small and their crops diversified; there was no staple such as tobacco, and slave labor was virtually nonexistent. Because of the agricultural difficulties, many people quickly turned to other pursuits for which the Bay Colony was ideally suited: lumbering, milling, the fur trade, the fisheries, and domestic manufacturing of varied articles.⁷

The real importance of Massachusetts Bay in American history lies in its political contributions to the American way of life, such as the first political convention, the first nominating convention, the first use of the ballot for political purposes, and the first two-house legislature. The colony is also important because of the prominence of Puritan thought in shaping many aspects of American culture.

⁷ See Chapters 20 and 21 for a more detailed treatment of agriculture and industry in the colonies.

THE COMPLETION OF NEW ENGLAND COLONIZATION

The establishment of Plymouth and Massachusetts Bay marked only the beginning of colonization in the New England area, for five more settlements were subsequently made in that region. The story of the two most important, Connecticut and Rhode Island, stems principally from the efforts of the Puritan leaders of the Bay Colony to maintain an oligarchic control of both state and church. There were many who opposed such rule, of whom the best known were Roger Williams and Mistress Anne Hutchinson, two of the many victims of the religious intolerance and bigotry that pervaded Massachusetts in particular and Plymouth to a lesser degree. "Persistent heretics," in the language of John Cotton, had no place in a Bible Commonwealth; therefore, those who in any respect opposed "a city of God on earth" must either be made to see the true light or be summarily banished—or worse. It mattered not whether the culprits were Puritans who had strayed or were among those who had never seen the light, such as the Quakers. Both the "heretical" sect and its individual members came under attack.

The Revolt Against the Puritan Oligarchy. One of the first victims of religious persecution was Thomas Lyford, who was banished from Plymouth in 1621 because he "set up a public meeting apart on the Lord's Day," where he administered the sacraments according to the Church of England. And Thomas Morton, the "lord of misrule," was expelled from Plymouth in 1625 because of his Maypole at "Merriemount," to which were attracted "all the scum of the country." The males were accused of "frisking together" with Indian squaws, and Morton himself was charged by the Plymouth hierarchy with composing "sundry rimes and verses, some tending to lasciviousness and others to the detraction and scandal of some persons." Also important in the decision to expel Morton—though not openly publicized—was the fact that he was paying Indians a higher price for their furs than were other Plymouth traders.

Because he would not mend his ways, either religiously or financially, Morton had to leave Plymouth. He proved just as obnoxious in the Bay Colony where, in August 1630, the leaders cut down his Maypole, confiscated his property, and banished him to England. An additional charge, and a more logical one against

him, was that he was selling arms to the Indians, a dangerous thing to do in a community subject to attack. Back home, Morton published *The New English Canaan*, in which he bitterly denounced the leaders of both colonies, referring to them as "King Winthrop," "Captain Shrimp" (Miles Standish), and the "Swelling Fellow of Littleworth" (Governor John Endecott).

Then there was Dr. Robert Child, a Presbyterian minister, who was banished because he described the government of Massachusetts as an "ill compacted vessel" and tried to promote his own faith. Much more unusual was the case of Sir Christopher Gardiner, who settled in the Bay Colony with a "comely young woman" whom Bradford suspected was "his concubine." These suspicions were well founded, for within a short time two wives of Gardiner made inquiries about their husband. Obviously, the knight was not a desirable person in a Bible Commonwealth, and he was banished to England. The local officials also considered sending the girl "to the two wives in England," but "her good looks saved her." She was allowed to remain and soon acquired a legal spouse. All in all, no less than fourteen persons were expelled from Massachusetts alone in 1630.

Roger Williams. The most famous case of religious intolerance involved Roger Williams, the first great pioneer of religious liberty in America. The son of a merchant-tailor, a graduate of Cambridge, and a Puritan theologian—though none too orthodox—Williams reached Boston in 1631, where he was shortly offered a position as teacher by the local congregation. He refused to accept the post because he "durst not officiate to an unseparated people"—that is, a people still within the Church of England. Williams then filled a similar position in Salem, despite a letter of protest from the Massachusetts General Court. He soon moved to Plymouth, where he preached until 1634, and then returned to Salem.

From this time on Williams was a constant critic of the Puritan church and its local leaders. Using extravagant and denunciatory language, he called the orthodox Puritan clergy "false hirelings," said their churches were "ulcered and gangrened" and the members "unregenerates." The Massachusetts General Court denounced him because he "had refused to join with the congregation at Boston, because they would not make a public declaration of their repentance for having communion with the churches of England, while they lived there."

None doubted Williams' sincerity and courage, but though open-minded on large questions, he could be thoroughly argumentative on small ones. It has been said that he laid as much stress on saying grace before meals as on broad matters of religious freedom. Bradford considered him "a man godly and zealous, having many precious parts, but very unsettled in judgment."

Soul Liberty. The fundamental differences between Williams and the Puritans became more and more evident. The former declared an established church sinful. No civil government had the right to say, "Go to this or that Church or be punished." He denounced "that body-killing, soule-stealing, and State-killing

doctrine" of religious persecution by civil authorities. He would not even require an oath—that was a religious act. If there were religious errors, they must be corrected with religious weapons. The civil authorities might punish men's offenses against one another, but duties toward God were to be fulfilled by one's own conscience. It has not been established when Williams formulated these views. Before he left England he appeared to be an orthodox Puritan; perhaps it was on the long voyage to America that he had the opportunity to think about the weaknesses of an established church and to develop the theory of "soul liberty." To him the state was like a ship. Its head was similar to a captain, who could order the crew and passengers to aid in the running of the ship, but could not compel them to attend religious services.

Accordingly, Williams believed in complete separation of church and state, the right of private judgment in religion, and complete toleration and legal equality of all sects—except, perhaps, the Quakers. He favored repeal of all compulsory church attendance laws, compulsory contributions to the church, and religious qualifications for voting.

The General Court condemned Williams because he "had declared his opinion that the magistrates might not punish the breach of the Sabbath." Church leaders also demanded that he repudiate his beliefs, and the Boston clergy declared "that he who should obstinately maintain such opinions, whereby a Church might run into heresy, apostacy, or tyranny, and yet the civil magistrates could not intermeddle," should be banished. Cotton Mather later called Williams "the first rebel against the divine-church order in the wilderness."

These attacks did not quiet Williams, but only made him bolder. In a treatise on the Massachusetts charter, he went on to deny the right of king or company to grant title to the soil, which he contended belonged to the Indians. This accusation alarmed the Massachusetts leaders as much as had his religious charges. To them the charter was a sensitive issue: its legality had already been questioned, and it had been violated by them in several particulars; moreover, the king had demanded its return in 1634. Winthrop and other leaders feared public discussion of the document. If the criticisms by Williams should reach the ears of the king, he might declare the charter forfeit. As success of the "Puritan experiment" depended on this document, the General Court ordered Williams censured.

The Flight to Providence. But Williams continued his attacks on both church and state. Pressure was brought on the Salem church to dismiss him as a teacher. At first the congregation refused, but when the town was threatened with loss of representation, it finally had to comply. Then the culprit was summoned before the General Court in Boston on October 9, 1635, and ordered to "depart out of this jurisdiction within six weeks." A combination of Williams' illness and bad weather, which prevented ships from leaving the harbor, caused the magistrates to extend the reprieve until the following spring. Winthrop thought this respite would quiet him, but the governor guessed wrong. Williams became even more bitter and denunciatory. Thereupon the Puritan leaders decided to ship him

back to England, where he probably would be charged with treason (for denying the royal title to land in America), and his lightest punishment would be the loss of both ears, the heaviest, death. Evidently, Winthrop warned him of his impending fate,¹ and Williams fled with five friends into the wilderness, where they were "sorely tost for one fourteen weeks, in bitter winter season, not knowing what bread or bed meant." They finally found refuge among the Narragansett Indians, from whom Williams purchased land on which he established the town of Providence in the spring of 1636.

Apparently Williams had not planned to found a colony. He simply wanted a refuge for those oppressed for conscience's sake. He wrote years later: "It is not true that I was employed by any, made covenant with any, was supplied by any, or desired by any to come with me into these parts." By the middle of 1636 he was joined by other malcontents from Massachusetts. Then a plantation covenant was drawn up that embodied Williams' ideas. The people were "incorporated together into a town fellowship," but "only in civil things." Thus, the doctrine of separation of church and state was put into actual practice, for in Providence "there were no magistrates . . . exercising civil as well as spiritual authority," and soul liberty was unrestrained.

The Banishment of Anne Hutchinson. Meanwhile, the Puritan oligarchy in Boston moved against the Antinomians,² whose outspoken leader was Mistress Anne Hutchinson. She was the wife of a well-to-do Bostonian and a neighbor of Governor Winthrop, who said she was "of a haughty and fierce carriage, of a nimble wit and active spirit, and a very voluble tongue . . . more bold than a man, though in understanding and judgment inferior to many women." Mrs. Hutchinson attacked Puritan theology, asserting that the clergy depended too much on a rigid moral code of laws and too little on the Holy Spirit. She preached instead the doctrine of the Inner Light, which emphasized guidance by Divine revelation and a covenant of grace rather than of good works. Mrs. Hutchinson held "prayer meetings" at her home each Thursday evening, where she discussed the sermons of the previous Sabbath and compared clergymen, praising a few of them for preaching a covenant of grace, but denouncing most for advocating a covenant of works. Winthrop said "no man could tell where the difference was," but Mrs. Hutchinson claimed she was "enlightened from above," and that the "Holy Spirit illuminates the heart of every true believer." This was heresy to devout Puritans, who considered the Bible the sole source of inspiration.

This religious controversy might have blown over had it not entered politics. The Antinomians succeeded in electing Henry (Harry) Vane as governor over Winthrop in 1636. Yet their triumph was short-lived. The orthodox leaders

¹ After all, Williams had done good service for the Puritan cause earlier. Winthrop did not wish to see him punished severely for his honest beliefs. As long as he preached outside of the Bay Colony, the governor would be satisfied.

² From *anti* (against) *nomos* (law). The Antinomian sect was founded in Europe in the sixteenth century by John Agricola.

mustered every weapon at their command and used every political trick. They heaped ridicule on the Reverend John Wheelwright, an ardent supporter of the Inner Light, and finally succeeded in moving the site of the May Election Court of 1637 to Newtown, where the Puritan leaders were stronger. As a result, the orthodox gained an overwhelming victory, Winthrop was returned to the governorship, and the Antinomian members of the council were defeated. Thus, the fate of Mrs. Hutchinson and other outspoken critics was sealed.

The first step was taken in the summer of 1637, when a synod of twenty-five orthodox ministers met at Newtown. After some discussion, they publicly upheld the covenant of works, as well as other Puritan beliefs. Next, in November, the General Court in a farcical trial found Mrs. Hutchinson guilty of sedition and contempt, and ordered her banishment. When she inquired why she must leave the colony, the governor replied:

Mrs. Hutchinson, you hear the sentence of the Court. It is that you are banished from out our jurisdiction as being a woman not fit for our society. And you are to be imprisoned till the Court send you away.

The final blow came in March 1638, when an ecclesiastical court excommunicated her. Then the banishment was finally carried out.

The "American Jezebel," as a modern biographer calls her, and her husband, accompanied by a large number of followers, fled to an island the Indians called Aquidneck, later known as Rhode Island. There Mrs. Hutchinson helped establish Pocasset (Portsmouth), but four years later, on the death of her husband and as a result of continued threats from Massachusetts, she moved to Long Island and then to Eastchester (in present Westchester County, New York), where she and her children were murdered in an Indian raid. Governor Winthrop stated in his *Journal* that her demise was "providential."

The Providence Plantations. The territorial claims and hostility of Massachusetts threatened the existence of the newly founded towns to the south. Providence, Portsmouth, and Newport (1639) all had common features, common interests, and common fears. They were established on the same principle of separation of church and state; they lacked legal title to the land, although they had purchased it from the Indians; they had neither political authority nor charter; they were subject to Indian attacks; and they were all in danger of absorption by stronger neighbors. Because some sort of union was essential for protection, Portsmouth and Newport in March 1640 agreed to a plan that they called a democratic or popular government.

All three towns needed legal title to the land as protection against the claims of Massachusetts. In 1644, acting through Roger Williams, they applied to Parliament for a grant. This was issued in March as the "Incorporation of Providence Plantations, in the Narragansett Bay, in New England." This document gave them full power and authority "to rule themselves" by "such a form of Civil Government" as was adopted by "voluntary consent" of the inhabitants. Election of officials was to be "by the greatest part" of the people, and authority

was also granted to pass "Civil Laws and Constitutions" in harmony with those of England.

At a meeting in Portsmouth in May 1647, a covenant to uphold this new patent was formed, and a representative type of government was established, modeled to some extent on that of Massachusetts. The General Court consisted of six popularly elected deputies from each town, with meetings held alternately in each. The president, four assistants, the treasurer, the recorder, and lesser officials were all elected annually in the General Court of Elections after being nominated in town meetings. An unusual feature was the provision for the initiative: voters in any town could propose measures, which would become laws when approved by the General Court. Also, under a form of referendum, the freeholders could reject proposals of the Court. Logically enough, the first president elected under this frame of government was Roger Williams. At the same time, the town of Warwick, founded in 1643 by Samuel Gorton, who had the distinction of having been expelled from Plymouth, Portsmouth, and Providence, was admitted to membership in the union. Ultimately, this government and the boundaries of "Rhode Island and Providence Plantations" were recognized by a royal charter in 1663, which continued as the constitution of the State of Rhode Island until 1842.

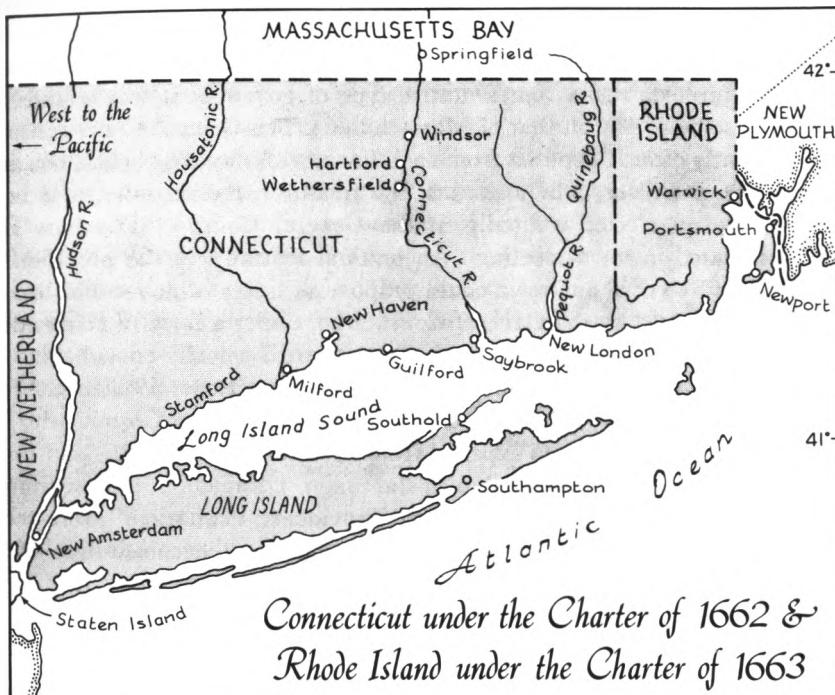
Religious Freedom in Rhode Island. Religious freedom, with emphasis on separation of state and church, was the cornerstone of Rhode Island, as well as Roger Williams' great contribution to modern political theory and practice. In 1644 the Parliamentary patent upheld this doctrine when it granted authority to set up a government in civil matters only. In 1657, when Massachusetts was engaged in Quaker persecution, the Bay authorities complained that Rhode Island was tolerating members of that sect. The colony's official reply was:

We have no law among us whereby to punish any for only declaring by words their minds and understandings concerning the things and ways of God, as to salvation and an eternal condition.

Although Roger Williams disliked Quakers personally and published a book against them, entitled *George Fox Digg'd Out of His Burrows*,³ he still refused to persecute them.

When Rhode Islanders petitioned Charles II for a charter, they declared they wanted "to hold forth a livelie experiment that a most flourishing civill state may stand and best bee maintained . . . with full liberties in religious concernments." The resulting charter of 1663 provided that no person in the colony "shall bee any wise molested, punished, disquieted, or called in question, for any differences of opinion in matters of religion, and doe not actually disturb the civill peace of our sayd colony." Incidentally, this was the only charter containing such a provision. It is true that Maryland passed the first toleration act in

³ George Fox was the founder of the Society of Friends or Quakers. See p. 181. "Burrows" referred to Jeremiah Burroughs, an independent clergyman who supported Oliver Cromwell and his policy of toleration.



the New World, but Rhode Island was the first government in Christendom actually to practice the modern principle of religious freedom. Therefore, it became a refuge for all types of religious sects and even fanatics, and came to be known as "New England's Dumping Ground" and "Rogue's Island."

Despite the inducement of religious freedom, Rhode Island grew but slowly during its early years. The inhabitants were to be found principally in the two towns of Newport and Providence. Commerce began to thrive, but an increasing number of Rhode Islanders took advantage of a liberal land policy to build up larger plantations. Thanks to insular conditions that lessened the danger from predatory animals, the farmers initiated the raising of horses, other livestock, and poultry, to mark the beginning of a prosperous industry.⁴

Early Interest in Connecticut. There were many motives for the founding of Connecticut. At an early date, the settlers of Plymouth and the Bay Colony, as well as the people of New Netherland, and, perhaps, even the French of Canada, realized the importance of the Connecticut River Valley, together with Long Island Sound into which the river flowed. This area was of strategic military importance, it was also a significant route for the fur trade, and its fertile soil was better adapted to agriculture than any other part of New England. The

⁴ For further details concerning Rhode Island's economic interests, see Chapters 20 and 21.

Dutch claimed the valley by right of Hudson's discovery (1609) and the explorations of Adriaen Block (1613-1614), and for many years considered it part of New Netherland. In 1633 they bought land from the Pequot Indians and planted a settlement, the House of Hope, on the site of present Hartford.

The Plymouth settlers became interested in the economic possibilities of the Connecticut Valley, and in 1632 Edward Winslow explored the southern part. The following year William Holmes established a trading post and built a fort on the site of Windsor, just north of the Dutch Fort Good Hope. The Bay Colony also showed interest, as indicated by the glowing reports of John Oldham about the fertile soil of the valley and its trade potentials. Some English noblemen and prominent Puritans, headed by Lord Saye and Sele and Lord Brooke, anticipated the possibilities of the area as early as March 1632, when they obtained a patent from the Earl of Warwick, president of the Council for New England, to a large area at the mouth of the Connecticut River. These patentees sent out a group of settlers, headed by John Winthrop, Jr., which founded Saybrook on Long Island Sound in 1635. This was the first formal English settlement planted within present Connecticut, but the ultimate colonization had its origins in the Bay Colony. The Dutch protested these activities, but not to the extent of open conflict.

Thomas Hooker's Role. Massachusetts authorities asserted that part of the Connecticut River Valley was theirs, and they were not modest in pressing their charter claims to the limit. In 1634 a party from the Bay Colony built a few houses on the site of Wethersfield. The next year the Reverend Thomas Hooker, pastor of Newtown (Cambridge) Church, petitioned the Massachusetts General Court for permission to move his congregation to the valley. Hooker was not a religious radical like Roger Williams and had no objection to the Puritan theology or system of church government in Massachusetts, but he did object to the political tenets and practices of Winthrop, Cotton, and other leaders. He said, for instance, "In matters . . . that concern the common good, a general council chosen by all, to transact business which concerns all, I conceive . . . most suitable to rule and most safe for the relieve of the whole." In one of his ablest sermons he set forth the views that "the foundation of authority is laide in the consent of the governed," that "the choice of the magistrate belongs to the people," and "those which have power to appoint officers, have also the right to set bounds to their authority." Hooker wished to migrate because the oligarchic control in the Bay Colony and the resultant limitations on the suffrage were not consistent with his beliefs.

His flock had other reasons for wishing to move west, reasons that Hooker stressed in his petition. There were "insufficient lands" for cattle in the Newtown area, and the Massachusetts "towns were set too near each other." Also to be considered were the "fruitfullness and commodiousness" of the Connecticut Valley, the "danger of having it possessed by others," and the fact that "the minds of his people were strongly inclined to plant themselves there." After lengthy debate, in which the danger of large emigrations from the Bay Colony

was emphasized, the General Court granted Hooker's request. Within a few months he and some one hundred persons, driving with them many cattle, established a settlement on the site of Hartford in May 1636. During the next few years migrants from Massachusetts continued to pour into the Connecticut Valley, some by land and some by water, "stirred to movement westward by the same driving impulse that for years to come was to populate the frontier wherever it stretched."

The "River Towns." By the middle of 1636 there were four sets of rival claimants to the Connecticut region: the Plymouth traders, the Warwick patentees at Saybrook, the recent arrivals from Massachusetts, and the Dutch. The former Bay colonists were the most active. They had established four "river towns," each settled by migration of a church congregation from a Massachusetts community: Wethersfield from Watertown, Windsor from Dorchester, Hartford from Newtown, and Springfield from Roxbury.⁵ The Massachusetts General Court had permitted these congregations to leave, provided "they continue still under this government." The settlers did not desire to move without a frame of government agreed upon beforehand, yet they did not wish to recognize the claims of Massachusetts over their new homes. Consequently, a compromise was reached in March 1636 that the Bay Colony would not assert title to the soil, but would appoint commissioners for the "river towns" for one year.

When this original commission form of government terminated on May 1, 1637, a General Court immediately convened at Hartford to assume jurisdiction over the some eight hundred people in the three towns outside of Massachusetts. It consisted of six magistrates and six deputies, two from each community, chosen by the freemen. This legislative body, patterned after the Massachusetts General Court, was authorized by its constituents to pass laws, to levy taxes, to provide men and supplies for the Pequot War then in progress, and to regulate trade. This type of government continued for about two years. In addition, two men from each town met to transact ordinary "colony" business; for "extraordinary matters," such as peace, war, and Indian treaties, these delegates were joined by three others from each town to form a "committee." There were also town meetings, likewise on the Massachusetts pattern, begun soon after the "river towns" were settled.

The Fundamental Orders of 1639. During 1638 and 1639 efforts were made to adopt a more formal frame of government. The result was the **Fundamental Orders of Connecticut of 1639**, which has been called the "first written constitution known to history that created a government." In its preamble the people of the three towns agreed to "assotiate and conjoyne ourselves to be as one Publike State or Commonwealth." There was no reference to the king; government emanated wholly from the people and was responsible to the people. In other words, this was a social compact. The purpose was to establish "an orderly

⁵ Springfield was subsequently found to be within the limits of Massachusetts and thus was not included in Connecticut.

and decent Government," to "mayntayne and presearve the liberty and purity of the gospell of our Lord Jesus which we now professe," to uphold "the discipline of the Churches . . . now practiced amongst us," and to provide that "our Civell Affaires to be guided and governed according to such Lawes . . . as shall be made. . . ." Thus, church and state were united.

The frame of government provided for an executive consisting of the governor and six magistrates or assistants elected annually, with "noe person to be chosen Governor above once in two yeaeres." The governor must "be alwayes a member of some approved congregation, and formerly of the Magestracy within this Jurisdiction," but he and the assistants were to be elected "by all that are admitted freemen." The legislative branch was the General Court, consisting of the governor, assistants, and "fower" deputies from each town, the latter elected "by all that are admitted Inhabitants in the severall Townes." Hence, no church membership was required, and the franchise was thereby broadened. This unicameral legislature (it became bicameral in 1698) was to meet at least twice a year at specified times, although the governor could call special sessions. Among the powers of the General Court were to pass or repeal laws, to levy taxes, to admit freemen, to grant land to towns, and "to call ether Courte or Magistrate or any other person whatsoever into question for any misdemeanour, and may for just causes displace or deale otherwise according to the nature of the offence." This seventeenth-century version of recall was most unusual.

The Connecticut government resembled that of Massachusetts in many particulars: the organization, powers, and duties of the General Court, the methods of election, the written ballot, and the system of town government. But it also differed from the Bay Colony in that there was no religious test for voting, although the governor must be a church member. The governor was elected by all voters, and his term was limited. There was a federation of the towns. These differences probably reflected the views of Thomas Hooker, who had been unable to achieve these objectives in Massachusetts.

Years later, however, there were some modifications. Qualifications for voting became stricter. In 1657 one had to have a personal estate worth £30, and five years later, real estate to the value of £20. Thereby more than half of the colony's adult male population was disfranchised. At about the same time, the governor was allowed to succeed himself. Despite these changes, Connecticut's government was still more liberal than that of Massachusetts, though less so than that of Rhode Island.

In 1662 Connecticut obtained a royal charter that recognized and legalized its existing government. In addition, it unexpectedly extended the boundaries to the Pacific Ocean. Charles II was most charitable in making this grant that allowed virtual self-government in the colony, probably because he was desirous of obtaining Connecticut's support in his movement against Massachusetts. This charter continued without material change throughout the colonial era; in 1776, as it was so nearly in harmony with the aims and purposes of the newly established state and national governments, it became the state constitution and remained in effect until 1818.

The Growth of Connecticut. Despite the close association of state and church in Connecticut, its more liberal government prevented the formation of an aristocratic theocracy like that in Massachusetts. Consequently, the growth of the colony was fairly rapid. By 1662 the population was around five thousand, and fifteen towns had been established. Also contributing to its growth were the defeat of the Pequot Indian menace, the fertile land of the Connecticut Valley that provided large and diversified crops, and the favorable location for both the fur trade and commerce. Prosperity from agriculture and trade diverted Connecticut from engaging in industry to the extent that the neighboring Bay Colony did.⁶

The Founding of New Haven. In 1638 a new settlement was made in the Connecticut Valley—at Quinnipiac or New Haven. Its founders were Theophilus Eaton, a wealthy London merchant and former deputy governor of the East India Company, and John Davenport, a nonconformist minister of London. These two extreme Puritans, accompanied by a group of devoted followers, landed at Boston in the summer of 1637 to establish another ideal Bible community, and they were offered many inducements to do so within the Bay Colony. But because the Antinomian controversy was still raging there, the newcomers felt that Massachusetts was not sufficiently strict in religious matters.

Eaton and Davenport moved west of the Connecticut River, where they purchased a small tract of land from the Indians and established the town of New Haven. For more than a year they lived under a “plantation covenant,” in which they agreed to “obey the Scriptures in all things.” Then in June 1639 they adopted the Fundamental Articles, which declared that “The word of God shall be the only rule attended unto in ordering the affairs of government.” The governor and magistrates were elected by freemen, which meant only Puritan church members. There were only twelve officials at first, who governed both the colony and the one recognized church. This was a Bible Commonwealth of the most extreme type, with an aristocratic theocracy more powerful than that of early Massachusetts. Even jury trial was denied the inhabitants because it was not authorized in the Scriptures.

The Growth of New Haven. Within a few years after New Haven was founded, more than a dozen towns were established in southern Connecticut and on nearby Long Island. These independent communities included Guilford, Milford, Stamford, Southold, Fairfield, Norwalk, Greenwich, Branford, Southampton, Easthampton, Gravesend, Westchester, and Hempstead. In 1643 the first three of these communities federated with New Haven in a representative government. In addition to a governor, there was a General Court, made up of two deputies from each town, which served as both court and legislative body. In both capacities the General Court must “proceed according to the scriptures, which is the rule of all rightouse lawes and sentences.” Puritan church member-

⁶ The economic interests of Connecticut will be treated fully in Chapters 20 and 21.

ship was continued as a requirement for both voting and officeholding. One of the first laws enacted by this General Court provided that magistrates observe only "the judicial laws of God as they were delivered by Moses." This substitution of the Mosaic Law for common law with jury trial was an unusual feature of New Haven. Another, though far different, was the fact that New Haven was the first "model town" in English America, being laid out in gridiron fashion.

Following the confederation of 1643, the colony then "enjoyed an uneventful existence for twenty years." Its attitude toward the older "river towns" was generally unfriendly. It had no charter from the king nor legal sanction from companies or other New England colonies. Furthermore, New Haven was reluctant to recognize Charles II in 1660, and was accused of harboring the "regicides" who had ordered the execution of Charles I in 1649. In addition, it was trying to be more independent and theocratic than Massachusetts, which English rulers already mistrusted.

As a result of these factors, plus the desire of the "river towns" to procure a royal charter that would incorporate New Haven, it was annexed to Connecticut in the charter of 1662. For two years the New Haven leaders resisted this order, but the English conquest of New Netherland in 1664 and the grant to the Duke of York of the region eastward to the Connecticut River lead to their final submission.

The Settlement of New Hampshire and Maine. It is difficult to say with certainty just when the colonization of New Hampshire began. As early as 1623 a group from the Cape Cod area settled at Little Harbor (now Rye) under the leadership of David Thomson, but the fate of this project is unknown. About the same time, there were settlements, perhaps temporary, at Dover and Strawberry Bank (the present Portsmouth). It is certain that a permanent community was started at Exeter in 1638 by the Reverend John Wheelwright and about thirty-five other exiled supporters of Anne Hutchinson. Hampton was organized shortly after by orthodox Puritans from Massachusetts.

In contrast with communities in Rhode Island, Connecticut, and New Haven, these towns did not federate. This may have been the result of religious differences: Exeter and Hampton were Puritan; Portsmouth, Anglican; Dover, both Anglican and Puritan. Or it may have been due to the absence of warlike Indians or of a jurisdictional conflict. The Maine-New Hampshire region had been granted to Ferdinando Gorges and John Mason by the Council for New England. In 1629 the two men reached an agreement: the area from the Kennebec to the Piscataqua went to Gorges, and the land to the south and west to Mason. This was also the year of the grant to Massachusetts of territory "three miles north of the Merrimac or to the northward of any and every part thereof." Despite the protests of the Mason heirs, in 1641 the Bay Colony asserted its charter claim to the New Hampshire region and exercised jurisdiction over it for the next thirty-six years. After almost continuous controversy between the two colonies, the English Court of King's Bench, influenced in large part by the report of Edward Randolph, declared in 1677 that Massachusetts had no right

to New Hampshire. Two years later it became a full-fledged royal colony, the first in New England, and was governed like the other royal provinces.

The early history of Maine is "the story of confused grants of territory and the planting of small isolated farming, fishing, and trading communities." Gorges tried to establish a proprietary colony there in the decade following 1640, when several straggling settlements were planted between the Piscataqua River and Casco Bay. Among these were Agamenticus, Saco, Kittery, and York. At the General Court chosen by the freeholders of the latter two towns under a "social compact" of 1649, a self-governing community was founded. This court issued orders, passed laws, and set up a jury system, under the leadership of Governor Edward Godfrey, elected "by most voysses." One of the most important measures of this legislative body was that of October 16, 1649—just six months after the Maryland Toleration Act—that declared:

That all gode people within the Jurisdiction of this province who are out of a Church [of England] way and be orthodox in Judgment and not scandalous in life, shall have full liberty to gather themselves into a Church estate, provided they do it in a Christian way.... And every Church hath Free liberty of election and ordination of all her officers from tyme to tyme provided they be able, pious, and orthodox.

But the Maine settlements faced the same problem that plagued New Hampshire in regard to the Massachusetts claim to the region. After prolonged controversy and litigation, the Privy Council ruled in 1677 against the Bay Colony. Thereupon the Massachusetts authorities secretly bought out the claims of the Gorges heirs for £1,250 and assumed control of the whole Maine area. In the new Massachusetts charter of 1691 this title was officially recognized by William and Mary.⁷ The charter also extended the Maine boundary northward to the St. Croix River.

Both New Hampshire and Maine grew slowly. Poor soil and long winters were in part responsible. The extended disputes over land titles also played a part, as did the grasping attitude of Massachusetts. And not least important was the fact that both colonies were located along a frontier that was an almost constant battleground between the English on the one side and the French and Indians on the other.

Establishment of the New England Confederation. The organization of the New England Confederation in 1643 was an outstanding example of the increasing sense of independence of the New England colonies. This union, called the "first American experiment in federalism," was formed without consultation with the English government and without its authority. The four colonies that constituted the Confederation—Massachusetts Bay, Plymouth, Connecticut, and New Haven—were all founded by Puritans and dedicated to similar principles. They had a common language, literature, and political traditions. Moreover, they all had similar problems and were threatened by the same enemies: the

⁷ Maine remained under the jurisdiction of Massachusetts until the Missouri Compromise of 1820.

French on the north, the Dutch on the west, and the Indians all along the frontier. These problems, plus the decline in immigration, hard times, and inter-colonial disputes over boundaries, territory, commerce, and the fur trade, brought forth the natural suggestion of mutual aid and peaceful adjustment of controversies.

As the Pequot War⁸ drew to a close in 1637, Connecticut made the first suggestion for a "Consotiation amongst our selves" during an intercolonial conference of magistrates and ministers in Boston, primarily to deal with the Antinomian heresy. The next year Massachusetts officials proposed a similar union, but Connecticut objected to the provision that a majority of the confederacy's commissioners should have the power of decision in case of a dispute. Threatening actions by New Netherland in 1639, however, influenced Connecticut to make a second proposition, but again there was failure to agree on details. Then fear of another Indian war in 1640 brought a joint proposal of union from Rhode Island, Connecticut, and New Haven; this time Massachusetts refused to join any confederation of which Rhode Island was a member.

The outbreak of civil war in England in 1642 meant that the mother country could not give protection against an anticipated Indian attack, and, what was probably more important, she could not interfere with the establishment of a New England union. Accordingly, at a meeting in Boston in May 1643 commissioners from the four colonies most interested drew up and approved the articles of confederation.

The preamble revealed the basic purposes of the union:

Whereas we all came into these parts of *America*, with one and the same end and ayme . . . , and whereas in our settling . . . we are further dispersed upon the Sea-Coasts, and Rivers than was at first intended . . . , and whereas we live encompassed with people of several Nations, and strange languages, which hereafter may prove injurious to us, and our posterity. . . . And seeing by reason of the sad distractions in England, . . . we are hindered both from that humble way of seeking advice, and reaping these comfortable fruits of protection which, at other times, we might well expect; we therefore doe conceive it our bounden duty, without delay, to enter into a present Consotiation amongst our selves, for mutuall help and strength in all our future concernments. . . .

No reference was made in this preamble to king or Parliament; there was no recognition of any superior or external authority.

The "Consotiation" was known as "The United Colonies of New England," whose four members agreed to join in "a firm and perpetuall league of friend-ship and amity, for offence and defence, mutuall advice and succour, upon all just occasions, both for preserving and propagating the truth, and liberties of the Gospel and for their own mutuall safety, and welfare." Each colony re-

⁸ This war grew out of Pequot attacks on the Dutch and early English explorers in the Connecticut Valley. In 1633 Captain Stone and several of his command were killed, and three years later John Oldham met the same fate. Continued trouble caused the "river towns" to declare war on the Pequots in May 1637. Under the leadership of Captains Underhill and Mason, the whites, with considerable help from Mohegan and Narragansett Indians, finally destroyed the Pequot tribe in a series of battles.

tained its own "peculiar jurisdiction," and was guaranteed its territorial integrity. No new member was to be admitted "without the consent of the rest." This statement was directed principally against Rhode Island, which was refused admission in both 1644 and 1648 because it would not recognize the jurisdiction of either Massachusetts or Plymouth and because it was "unorthodox." Massachusetts also stood in the way of the admission of New Hampshire, under the pretext that it was too "democratic"; the actual reason, however, was that the Bay Colony desired to take over New Hampshire's territory.

The governing body of the Confederation consisted of two commissioners from each of the member colonies, regardless of population or wealth, who were to hold annual September meetings, alternating among Boston, Hartford, New Haven, and Plymouth (except that Boston was to have two successive meetings when its turn came). There were to be no decisions unless at least six commissioners approved; if no agreement could be reached, the controversial matter would be referred to the general courts of the member colonies. The commissioners were to have power to make war and peace, apportion quotas of men and money, divide the spoils of war, and admit new members. On appeal of three magistrates of a colony threatened by serious attack, the entire armed force of the united colonies might be called out. Contributions of men and money for "all Wars, whether offensive or defensive," were based on male population from sixteen to sixty years of age, and the quota for such troops was in the ratio of one hundred from Massachusetts to fifteen from each of the others. There were other mutual obligations, most significant of which was the provision for the return of "any Prisoner whatsoever, or Fugitive" from justice. This was the first instance of the principle of extradition in America, later incorporated into the Articles of Confederation and the federal Constitution.

Appraisal of the Confederation. The Confederation had certain obvious weaknesses. The central governing body had no authority over individuals or power to enforce its decisions. Regardless of population and wealth, each member had an equal vote; yet Massachusetts had at least two thirds of the twenty-four thousand people originally embraced in the Confederation, and an even greater proportion of its wealth. On the other hand, Massachusetts bore more than its proportionate share of military and financial burdens.

The union, which theoretically existed from 1643 to 1691, had some positive achievements to its credit. It overthrew the Narragansett Indians in 1645. Five years later it made the Treaty of Hartford with New Netherland, by which the Dutch were excluded from the Connecticut Valley and the right of the English to colonize along the Delaware River was recognized. It adjusted several local boundary disputes.⁹ The commissioners also recommended that member colonies pass laws regulating church membership, requiring contributions to the church, and excluding Quakers from their respective jurisdictions. All but New Haven

⁹ See p. 176.

complied with the last request. The commissioners likewise cooperated with the Society for Propagating the Gospel Among the Indians of New England, endorsed other missionary work among the natives, advocated the education of a few bright Indian boys at Harvard, and voted financial aid to that college.

But the Confederation gradually became ineffective and finally failed for a variety of reasons. Massachusetts, disgruntled at the equality of votes but the inequality of burdens, refused to join the war against the Dutch that the commissioners voted in 1651—an early form of nullification—and the colony also strongly opposed the Dutch War of 1654 that England declared. The restoration of Charles II in 1660 brought royal hostility to Puritanism in all New England, and in particular to the Confederation, which had no royal sanction. Annexation of New Haven to Connecticut reduced the membership to three and further weakened the whole structure. A few sporadic meetings of the commissioners were held thereafter, but the Confederation virtually ceased to have any influence. Another blow was the revocation of the Massachusetts charter in 1684, followed by the establishment of the Dominion of New England, under which the remaining members lost their separate entities. The conclusion came with the coronation of William and Mary, both of whom vigorously opposed the Confederation, and the subsequent incorporation of Plymouth with Massachusetts in 1691. Some historians believe that had not England stepped in, "the Confederacy might have been gradually amended so as to become enduring." Certainly, it did help set the stage "for the greater work of federation which was achieved before the end of the following century."

• **King Philip's War.** Another crisis the Confederation faced during its lifetime was King Philip's War (1675-1678). This conflict, the bloodiest in American colonial history, had many causes. There was the steady expansion of white settlements, which encroached more and more on land the Indians had held for generations. The confiscation of this property and the unfair prices that "Yankee" traders gave for Indian furs promoted ill-feeling between the two races. The English regarded the tribes as obstacles to the growth of their colonies. Harsh punishments were inflicted on natives for violations of colonial laws, most of which the Indians never heard of and never would have understood if they had known of them. Also particularly distressing was the holding of children of Indian chiefs as hostages for tribal good behavior.

In 1662 Metacomet, or Philip, became chief of the Wampanoags, and though outwardly peaceful, secretly planned to end English trespassing and insults. The signal for widespread raids along the New England frontier was the execution for murder of three tribesmen. In June 1675 Swansea was attacked in retaliation by an Indian force under Philip, followed by similar blows at Mendon, Brookfield, Deerfield, Lancaster, Hadley, and Northfield before the middle of September. The Confederation declared war on September 9, but jealousies, poor commanders, and lack of cooperation prevented the needed unity of action for several months, during the course of which the Indians laid waste Springfield, Hatfield, and several other communities.

The tide began to turn in November 1675, when a Confederation army under Josiah Winslow opened a campaign against the Narragansetts that wiped out most of the older men, women, and children before the end of January 1676 and during the course of the following year compelled the warriors to flee the area. In early 1676 other tribes attacked Lancaster, Sudbury, Scituate, and even Plymouth and Providence, but their strength was ebbing, more from scarcity of food than from Confederation fire. In June, Major John Talcott, with a combined force of New Englanders and friendly Mohegans, compelled many enemy tribesmen to retreat into New Hampshire. Most of the remainder surrendered. King Philip, shorn of his strength and betrayed by one of his warriors, was tracked down and killed in August 1676. The loss of their leader broke the back of Indian resistance, although sporadic fighting continued in Maine and New Hampshire until April 1678, when a peace treaty was signed at Casco that provided for the return of all territory and captives.

During the struggle, however, four towns in Rhode Island and sixteen in Massachusetts were razed. The white casualties numbered about one sixteenth of the New England population; indeed, none remained in the Kennebec region of Maine. At least £100,000 was spent to achieve ultimate victory. Governor William Berkeley of Virginia believed that it would take New England twenty years to recover from the various war losses, for farming was grievously injured, the fur trade temporarily destroyed, and the fisheries hurt. The losses undoubtedly would have been greater and the results more disastrous had it not been for the New England Confederation. On the brighter side of the picture, King Philip's War did remove the Indian menace in southern New England. Thus, a vast area of the frontier was opened to undisputed white settlement and a barrier to the subsequent growth and expansion of New England removed.

BRITISH COLONIES IN THE CARIBBEAN



The British settlements in the Caribbean have received but slight attention in American history. This is difficult to understand, for those island colonies, some no larger than a Virginia county, extending from Bermuda on the north through the Lesser Antilles and as far south and west as Trinidad, played a prominent and varied role in colonial days. From the imperial point of view, they were the most valuable "plantations" in the New World, for they produced sugar, tobacco, ginger, dyewoods, gum, wax, fine woods, and other tropical and semi-tropical articles eagerly sought by mercantilist England. Also, the greatest exodus of English population was to Barbados and St. Kitts—larger than the migration to Massachusetts and much larger than to Virginia, and these two islands eventually had the heaviest density of both white and slave population of any of the English colonies. And from this area, as a result of trade, the mainland colonies obtained much, if not most, of the hard money they used in their business transactions, particularly Spanish coins.

The Caribbean colonies afforded the first striking example of soil exhaustion, the pressure of population on resources, and a resultant "westward movement." Several of the most densely populated islands sent many settlers to other colonies in the West Indies and thousands to the mainland colonies, particularly to Carolina. The Caribbean was the first and largest center of the slave trade. It was also the area where pirates and smugglers operated with impunity against the ships and trade of other nations, and even against their fellow Englishmen. Above all, this region was the "cockpit of international rivalries," where Spaniards, French, Dutch, and English came into conflict at an early date.¹ Bryan Edwards, the early English historian of the West Indies, wrote:

Whoever has made himself acquainted with the history of the West Indian islands cannot fail to have observed that, whenever the nations of Europe are engaged with each other, those unhappy countries are constantly made the theatre of its operations. Thither the combatants repair, as to this arena.

¹ By 1660 the French had occupied no less than fourteen islands in the West Indies, the most important of which were Guadeloupe and Martinique. The most valuable Dutch island in the Caribbean was St. Eustatius.

And a later writer observed, "Whoever would understand the English colonial policy of the seventeenth century in its strong points, as well as in its weak, should find a remarkable microcosm of it in the story of Barbados."

Early English Interest in the Caribbean. Although Spain had settled the four large islands of the Greater Antilles—Cuba, Española or Haiti, Puerto Rico, and Jamaica—she had not effectively occupied any of the Lesser Antilles. Perhaps this was because they were small islands, with no known gold or silver deposits, and were inhabited by dangerous Carib Indians, supposedly cannibalistic. In addition, Spain had already extended her American empire over a vast area, and considering the relatively small number of Spaniards in the New World, she could not effectively administer any more territory. True, the beautiful and fertile islands of the Lesser Antilles were within the Spanish domain, but it is noteworthy that in the various treaties concluded with England, France, and Holland in the two decades after the defeat of her Armada (1588), Spain made no mention of her monopoly in the Caribbean.

Long before 1588, however, Englishmen had been fascinated by reports of fabulous wealth in that area and had not hesitated to poach on Spanish preserves. The first English contacts in this region were the illicit operations, chiefly in slaves, of the two Hawkinses, father and son. Within a short time Francis Drake and other Elizabethan "sea dogs" were seizing Spanish treasure ships, raiding towns along the Spanish Main, and thus striking at the "pocketbook nerve" of the hated enemy. Near the close of Elizabeth's reign Sir George Peckham and the younger Richard Hakluyt, among others, urged their fellow countrymen to emulate Spain's example by planting colonies of their own in the New World, particularly in those regions that could produce tropical and semi-tropical goods. Some Englishmen, like Walter Raleigh, were motivated by the quest for an El Dorado—an easy way to quick riches. Others were interested in establishing colonies on a sound agricultural and commercial foundation that would at the same time serve as bases for operations against Spanish colonies and trade and also become a haven for the unemployed in England.

The Anglo-Spanish war dragged on until 1604. The concluding Treaty of London supposedly ended English interference with Spanish trade and territory in the Caribbean. Actually, however, it marked the beginning of English interest in effective colonization, and Spain did not have the naval strength to prevent it. Yet, in a sense, England blundered into her West Indian colonies, and, with the exception of Jamaica, all were settled as a result of peaceful occupation of islands uninhabited by Spaniards or other Europeans.

Attempted Settlements in Guiana. As early as 1600 English sailors, visiting the Venezuelan coast to obtain salt (and tobacco after 1604), were impressed with the beauty of the Windward and Leeward Islands they observed en route. But the first effort to colonize was on the "wild coast" of Guiana. In 1604 Captain Charles Lee (or Leigh) planted a small colony on the Wyapoco River,

where he hoped to grow tobacco, mine gold, and develop trade with the natives. Within two years, however, this project was abandoned.

Then, in 1606 and 1607, Sir Thomas Roe explored most of the Guiana country and traded with the Indians, but he made no effort to establish a permanent settlement. Soon afterward, Robert Harcourt and two associates received a royal patent for all lands between the Amazon and Essequibo Rivers. Harcourt led about a hundred men to Guiana, but after three years of hardship this colonizing attempt failed (1613). Some of the dissatisfied settlers returned to England; others stayed on and mingled with the natives. A second effort by Harcourt in 1616 met the same fate.

The next year Sir Walter Raleigh, recently released from the Tower of London, launched his largest colonial enterprise when he sailed for Guiana with fourteen ships. Attacked by a formidable Spanish fleet, he lost several vessels and was compelled to return to England. There, upon complaint of the Spanish ambassador, he was again imprisoned and shortly thereafter executed.

These several failures did not prevent further efforts. In 1620 the Amazon Company was formed under the leadership of Robert Rich (the Earl of Warwick) and Captain Roger North, who had been associated with the Raleigh venture. North took 120 men to Guiana, where they joined the remnants of the Harcourt colony. But again the project had to be abandoned because of poor climate, hostile Indians, revocation of the charter at Spain's insistence, and orders from home recalling the expedition.

Seven years later Charles I granted Guiana to the Duke of Buckingham and Associates, which sent two hundred settlers to the "wild coast." Once more failure attended the effort, and the colonizers soon returned home. No further English settlements were attempted on the South American mainland for another quarter century. Meantime, England turned her attention to the Caribbean.

The Founding of St. Kitts. St. Christopher, which the English renamed St. Kitts, was the first English colony in the Caribbean and thus has been called the "mother of the British West Indies." This small island of only sixty-eight square miles was discovered by Columbus in 1493, but the Spaniards never attempted to colonize it. Thomas Warner, who had been associated with North in the Amazon Company, was eager to plant a tobacco-producing colony in a place "free from the disorders that did grow in the Amazons for want of Government amongst their Country-men and to be quiet amongst themselves." On his return voyage to England from South America in 1622, Warner explored most of the Lesser Antilles and after careful investigation of soil and climate, decided that St. Christopher, near the northern end of the island chain, was best adapted to tobacco culture.

Back in England in 1623, he enlisted the financial support of Ralph Merriefield and a number of other London merchants, who helped him obtain ships, supplies, and settlers for the projected colony. The following year he led a small

group of settlers to the island. Within a few months several houses were built, a fort was constructed, and a large number of Caribs were killed, including the chieftain, who had been friendly to Warner.

Shortly after the settlement was started, a French privateering expedition commanded by Pierre Belain d'Esnambuc and Urbain de Roissey challenged the English right of occupancy. The diplomatic Warner, however, persuaded the French to settle on the island, cultivate tobacco, and join with the English against the hostile Caribs.

Nevertheless, the situation of the Warner group was precarious because it had no legal title to the soil—the first instance of occupation of non-English territory without royal sanction. Consequently, in 1625, when Warner returned to England to market the island's tobacco crop and to procure additional settlers, he obtained a commission from Charles I making him the "king's lieutenant" for the region including St. Kitts, Nevis, Montserrat, and Barbados. Under this commission Warner made a formal agreement in 1627 with the French leaders, by which St. Kitts was partitioned. The English occupied the broad and more fertile middle section, and the French held both ends of the island, except the salt ponds at the southern tip. All rivers, roads, mines, and woods were to be jointly controlled. An agreement was also made to fix prices of European goods, guarantee mutual aid against Caribs and Spaniards, and to remain neutral in the event of an Anglo-French war. St. Kitts thus became a binational colony, an arrangement lasting until 1713, when, by the Treaty of Utrecht, it became wholly English.

The Settlement of Barbados. Meanwhile, another group of English merchants was promoting the settlement of the much larger island of Barbados (166 square miles), located near the southeastern tip of the chain. The Portuguese had discovered Barbados, but made no effort to plant a colony. The Spaniards had likewise ignored the island because it was off the regular trade route. The first recorded English visit was that of Captain Simon Gordon in 1620, to hunt wild hogs. Five years later John Powell, employed by the Anglo-Dutch firm of Courteen Brothers, which had been carrying on an extensive trade with Brazil, stopped at Barbados on his return trip to England. He was impressed by its natural beauty, as well as by its fertile soil, level land, and magnificent forests of dyewoods. Then, because it was unpopulated, he took possession of Barbados in the name of "James, King of England and this Island."

Back in England, Powell convinced the Courteens that the island should be colonized immediately. In 1627 Courteen and Associates, a firm including Powell and his brother Henry, was organized to develop Barbados. Later in the year the first settlement of about eighty people, led by Henry Powell, was planted on the west coast of the island. Within a few months the settlers built houses, started Bridgetown, cleared quantities of land, and began cultivating tobacco on five plantations. The colonists, instead of being granted land individually, were tenants of the company, and their produce went into a common store—a situation quite similar to that in Virginia and Plymouth in their early years.

Despite complaints that the people were "slaves of the merchants," immigration continued at a rapid rate; there were an estimated sixteen hundred settlers within two years. They produced in that time considerable quantities of tobacco and dyewoods that were shipped to England.

The Carlisle and Montgomery (Pembroke) Patents. Neither the Warner-Merriefield interests in St. Kitts nor the Courteen Associates in Barbados had an effective title to the lands they had occupied. In fact, they had little hope of obtaining a proprietary grant, for it was Stuart policy not to issue such patents to one of less than a courtier's position. Accordingly, each of these groups sought to obtain a "patron" to secure such a royal grant. The Warner-Merriefield interests enlisted the support of John Hay, Earl of Carlisle, who in 1627 received a palatinate charter (quite similar to the Maryland patent of 1632) from Charles I for "Cariola," which embraced all West Indian islands between ten and twenty degrees north latitude. The proprietor was to have all the powers of any Bishop of Durham and was required to pay an annual rental to the crown of £100 and "a white horse whenever His Majesty should come into these parts."

The Courteen interests had as their patron Philip Herbert, the Earl of Montgomery (afterwards Earl of Pembroke), who received in 1628 a similar proprietary patent for "Provincia Montgomeria," including all lands between eight and thirteen degrees north latitude. The fact that Barbados was included in both grants evoked a bitter controversy both in England and the West Indies. Carlisle, who had more influence with the crown than did the Courteens, obtained a second charter in 1628 that made it clear that Barbados was part of his grant. Litigation followed, and in 1629 the Montgomery patent was set aside. In the same year Charles I settled the legal aspects of this controversy when he declared in his instructions to the governor of Barbados that the title of the Earl of Carlisle to that island was "of full strength and virtue, and none other to have force." Henceforth, Carlisle was the sole proprietor of England's Caribbean colonies, having power to appoint the governor of each.

Also in 1629, Carlisle named Warner governor of St. Kitts "for life," a position he held until his death in 1649, but the governor of Barbados was limited to a four-year term. Carlisle's son, who succeeded to the title in 1636, took little interest in the "Caribees." Hence, in 1647 he leased Barbados "with full proprietary rights" to Lord Willoughby for twenty-one years. Willoughby's royalist sympathies, best illustrated by his hasty proclamation of Charles II as king, led to his removal by the Commonwealth government and to the "reduction" of Barbados in 1651. After 1660, however, it was a royal colony.

The Expansion of the British West Indies. St. Kitts faced many of the problems that had plagued Virginia in its early years: scarcity of food and "supplies," Indian hostility, fear of "enemy nations," overproduction of tobacco and resultant falling prices, futile efforts to diversify crops, charges of oppressive rule and demands by the people for a voice in government, and complaints—

largely from the clergy—about the “callous brutality and godless vices” of the settlers. The island also went through a “starving time” in 1630–1631, and the government was maintained “in the face of resistance and a rising of 1,500 persons.”

Barbados, on the other hand, had no problem of hostile Indians or threats of attack by “enemy nations,” but more than any other English colony, it suffered from the pressure of population on resources, for it had the densest population of any English colony.

Despite all these hardships, as well as prolonged controversies about proprietary rights, thousands of settlers, many of them indentured servants, poured into these two islands from England and, to a much lesser extent, from Ireland. Within a few years most of the arable land was in cultivation, and emigration to neighboring islands began and soon extended to the mainland of both North and South America. Emigrants from St. Kitts settled Nevis about 1628, Antigua and Montserrat about 1635, and Anguilla and Barbuda soon thereafter. The emigration from Barbados, which occurred several decades later, was larger than that from St. Kitts and extended to Jamaica, Tobago, St. Lucia, Trinidad, Surinam, and to the mainland colonies, particularly Carolina.

The Economy of the Islands. The major interest of the original promoters of these Caribbean settlements was the production of tobacco. During the first decade of colonization the “weed” was grown on small farms of from five to thirty acres, assigned to tenants of the company, to the exclusion of almost all other crops. Because the quality was inferior to that of Virginia and brought a lower price in the English market, settlers began to experiment with other commodities, particularly cotton and indigo. By 1640 the exports of cotton and “cotton-wool” had about the same monetary value as tobacco. But the profits from these new crops were not adequate, and the settlers in all the British islands, especially those in Barbados, began to shift to the production of sugar cane.²

The result was an economic and social revolution. Large plantations, a heavy capital investment, and a large labor force were essential for the profitable cultivation and processing of sugar. Therefore, most of the good land was soon concentrated in the hands of a few planters, the small landowners disappeared, indentured servitude was gradually introduced, and Negro slavery grew rapidly. The number of “landed proprietors” in the island in 1645 was estimated at 11,200; by 1667 it dropped to 745. As a result of the spread of the plantation system, the land was said to be “so taken up there is not any to be had but at great rates.” Barbados was converted “into one large sugar factory, owned by a few absentee proprietors and worked by a mass of alien labor.” Despite the hardships suffered by the lower classes, Barbados was soon transformed from a poverty-stricken island into one of the wealthiest English plantations.

² This crop was introduced into Barbados from Brazil by a Dutchman, and Dutch merchants trading in Brazil loaned money to Barbadian planters, supplied them with slaves and machinery on credit, and provided draught horses, mills, and refining machinery.

The development of sugar plantations led to a phenomenal growth of the island's slave population, but a relative and even absolute decrease in white population. Prior to 1640 Barbados had only a few hundred Negroes and perhaps ten thousand whites. In 1643 it had six thousand slaves and over thirty-seven thousand whites. In 1668, however, the slave population was forty thousand and the white only twenty thousand. The decrease in white population was largely the result of the concentration of land into the hands of a few owners and the replacement of white labor by Negro. A writer in 1667 reported:

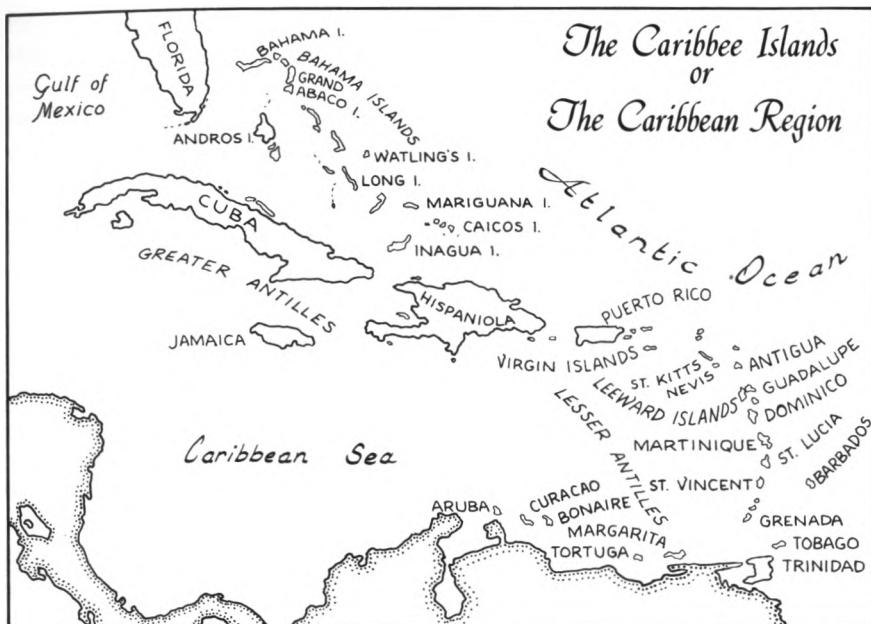
At least 12,000 former landholders and tradesmen have gone off, wormed out of their small settlements by their more subtle and greedy neighbours. . . . Between 1643 and 1647 to New England, 1,200; to Trinindado and Tobago, 600; between 1646 and 1658 to Virginia and Surinam, 2,400; between 1650 and 1652, to Guadalupe, Martinique, Marie-Galante, Grenada, Tobago, and Curazoa, 1,600; with Colonel Venables to Hispaniola and since to Jamaica, 3,300.

After 1667 the exodus of Barbadians to Carolina and other mainland colonies consistently outnumbered the arrivals in the colony from England. In 1670 an estimated two thousand left Barbados for other English colonies. The island's peak slave population of forty-six thousand was reached in 1684, but it had only twenty thousand whites, the same number as thirty years earlier.

Barbados became the leading sugar producer in the British Empire, and a great part of the British sugar supply of the colonial era, particularly in the seventeenth century, came from this island. Although some Barbadians grew tobacco, cotton, ginger, and a few other tropical products, the economy of the island was geared to sugar, and success or failure of the planters depended on its price. For almost two decades prices were good and the planters were prosperous, but in the 1650's the supply of sugar in the world market began to exceed the demand, largely as a result of the expansion of sugar plantations in other West Indian islands, particularly Jamaica.³ Moreover, the enumeration of sugar in the Navigation Act of 1660 eliminated the British sugar islands from the Dutch market. Then, too, London merchants constantly complained about the poor quality of Barbadian sugar, which was "coarse and ill-cured." As a result of these factors, its London price dropped from £3 10s. per hundred-weight to less than one third of that amount by 1661.

Nevertheless, the regional specialization in sugar and the one-crop economy of Barbados and other British West Indian plantations stimulated trade, usually giving these islands a favorable balance with England and affording a practical illustration of the mercantilist concept of a self-sufficient empire. As the islands had few or no manufactures and marketed practically all of their exports in England, they became large purchasers of English manufactures. As they produced few foodstuffs or livestock, they bought vast quantities of fish, lumber

³ Many Barbadian planters, confronted with the problem of soil exhaustion and in quest of "fresh lands," migrated to Jamaica, where they developed extensive new sugar plantations. One of the most striking cases was that of Colonel Thomas Modyford, former governor of Barbados, who left for Jamaica in 1664, taking with him some eight hundred Barbadians.



products, horses, and provisions from New England, as well as wheat, flour, corn, peas and beans, salt meat, barrels and barrel staves, shingles, and other necessary goods from the Middle and Southern Colonies. In return for these imports, the islands exchanged such articles as sugar, molasses, and slaves. When the balance of trade was against the islands, as it frequently was, money was paid. In this way the mainland colonies received a great portion of their specie: English coins, Spanish dollars and pieces of eight, and some French, Dutch, and Portuguese hard money. Thus, the chief source of money supply of the English mainland colonies was the West Indies.

The Providence Island Company. About the time of the original settlement of St. Kitts and Barbados, some Puritan leaders, including Cromwell, became interested in developing the West Indian colonies as a haven for their fellow-religionists. As early as 1629 the Earl of Warwick, Lord Saye and Sele, Lord Brooke, John Pym, and others organized a company "to plant the true and sincere Religion and worship of God" in some of the unoccupied islands of the Caribbean. In 1630 this company, usually called the Providence Island Company, was granted permission to settle colonies within a vast area embracing most of the region from Spanish Espaniola to the coast of Venezuela. The English had just seized the Spanish-claimed but unoccupied islands of Catalina and San Andres off the Nicaraguan coast, which they renamed Providence and Henrietta.

The first settlement on Providence Island was made in 1631 by about ninety emigrants from Bermuda, headed by Philip Bell, who acted as governor. In the

same year a small group from Providence, with Anthony Hilton, a former governor of Nevis, as their leader and acting governor, planted a colony on Tortuga Island. The Providence Island colony made moderate progress for a few years as its settlers produced enough foodstuffs for their own use and cut logwood for export. Within five years the island had 540 whites, most of them English Puritans, and some ninety Negro slaves.

The growth of Tortuga was less rapid, and its inhabitants were occupied chiefly with logwood cutting and hunting wild cattle.⁴ In contrast with the hard work and sound economic development that characterized the Puritan colonies in New England, these two Caribbean colonies, planted under Puritan auspices, became chiefly bases for privateers and pirates, the haven for outlaws of many nations, and something of an international scandal. Raids on Spanish commerce from Providence naturally prompted retaliation. The islanders fought off a Spanish attack in 1635, but six years later surrendered to a powerful Spanish fleet. Tortuga fell into French hands several years later.

The Conquest of Jamaica. Jamaica, discovered by Columbus in 1493, differed from the other British Caribbean islands in the seventeenth century in that it was the only one gained by conquest. Cromwell, following the conclusion of his war with the Dutch in early 1654, gave more attention to other policies, among them the wish to make foreign alliances to prevent the return of the Stuarts to the English throne, to promote the Protestant faith, especially Puritanism, throughout the world, and to broaden English commerce, especially in the New World. Standing in the way of these objectives were both France and Spain. Cromwell regarded Spain as the greater menace.

Using as a lever the possibility of an alliance with France, with whom Spain was then at war, the Protector demanded the right of freedom of worship for English merchants in Spanish ports, as well as the privilege of trading in the Spanish West Indies. When the Spanish ambassador refused to yield because, as he said, it would mean giving up his king's "two eyes," Cromwell ordered Colonel Robert Venables and Admiral William Penn—the father of the founder of Pennsylvania—to proceed to the West Indies to capture as much Spanish territory as possible. As the Protector stated:

The design in general is to gain an interest in part of the West Indies in possession of the Spaniard, for the effecting whereof we shall not tie you up to a method by any particular instructions.

The major objectives were undoubtedly Espanola, Puerto Rico, Porto Bello, and Cartagena. Unfortunately for England, however, the twenty-five hundred troops sent along with the two commanders were poorly trained, and the only success was the conquest of Jamaica by Penn in May 1655. It was not until the Treaty of Madrid in 1670 that Spain accepted this loss.

Jamaica, containing some forty-four hundred square miles, thus became the

⁴ From the settlers' *boucans* or gridirons on which they cooked their meat supposedly came the very appropriate word *buccaneer*.

largest British Caribbean possession. At the outset it was not considered important to the empire economically, but as an outpost from which more territory could be conquered and from which the commerce of other nations could be attacked, especially the richly laden Spanish galleons. At least until the 1670's it was the base of operations of many privateers and buccaneers who wreaked havoc on hundreds of ships. The best known of these marauders was Sir Henry Morgan, whose most famous exploit was the sacking of the Isthmus of Panama in 1671. Port Royal on Jamaica was the home port for a majority of these raiders.

Meantime, the English population of Jamaica was growing rapidly as the result of emigration from the mother country, from the neighboring islands, and, to some degree, from New England. Indeed, considerable pressure was brought on Puritans from all parts of the empire to settle on the island, as shown by Cromwell's instructions:

Our desire is that this place [Jamaica], if the Lord so please, be inhabited by people who know the Lord and walk in his fear, and by their light they may enlighten the parts about them (a chief end of our undertaking and design).

Within twenty years of the conquest there were at least eight thousand white residents. A majority of them gradually turned to farming, with tobacco, cotton, indigo, ginger, and sugar as the most popular crops. As the seventeenth century came to a close, Jamaica was becoming one of the most valuable sugar islands within the empire. For labor, the settlers imported an increasing number of Negro slaves, and by 1675 there were approximately ten thousand, outnumbering the whites.

The Government of Jamaica. Because of its conquered status and its proximity to the mainland, which was occupied by Spain, Jamaica was at first placed under a military government. But the growing English population caused the restored Charles II to substitute a royal civil administration in 1662, with the typical appointed governor and council and an elected assembly. The legislature held its first session in 1664 and quickly attempted to gain control of the taxing and other fiscal powers. The royal governor refused to allow the purse strings to be held by the assembly, however, and the controversy continued for many years. So strained did the relations become that Parliament was compelled to intervene in 1678 by passing a measure stating that the Privy Council must initiate all laws for Jamaica.⁵ Instead of clarifying the situation, this restriction only made matters worse, and in a few years the Jamaican assembly regained its legislative rights. Thereafter, the royal government operated in smoother fashion.

Government in the British West Indies. The structure of government in each of the British islands followed the same general pattern, which was not unlike

⁵ The precedent was the so-called Poyning's Law of 1494, which had done the same thing for Ireland.

that of England's mainland colonies, particularly those of the proprietary type. Until 1671 all of the West Indian colonies except Jamaica were within the Carlisle grant and had one general proprietor—the Earl of Carlisle until 1647, and then Lord Willoughby, to whom the second Carlisle leased his rights for a twenty-one-year period. Each colony had an appointed governor, a small appointive council, and a representative assembly consisting of two members from each parish elected by the landholders. Some of the islands, it is true, were settled more than a decade before they had a representative government. Barbados, for instance, did not have an assembly until 1639, and this body did not acquire the right to initiate legislation until two years later.

As in the mainland colonies, there were frequent controversies between the governor, representing proprietary or royal interests, and the legislature, reflecting the views of the islanders. The most persistent and bitter of these conflicts concerned financial matters. This was particularly true of Barbados, where one royal official reported that the disaffected people planned to make the island "a free state and not to runn any fortune with England either in peace or warr." But the exposed situation of the island settlements, their close commercial relations with England (despite their criticisms of the trade laws), and the political influence of the sugar planters in London were principally responsible for the development of a stronger bond of unity with England than was to be found elsewhere in the empire.

The establishment of royal rule in the Caribbean was a logical development. Jamaica, as has been mentioned, quickly became a royal province. At the same time (1662), Charles II assumed the rights of government in most of the other British islands and took over all other privileges granted the original proprietors. In 1671 the island colonies were organized into three separate governments: (1) Jamaica; (2) the Leeward Islands, to include St. Kitts, Nevis, Montserrat, Antigua, Barbuda, Anguilla, and "all other Leeward Islands" to the north of French Guadeloupe; and (3) the Windward Islands, consisting of those south of Guadeloupe, chiefly Barbados. Each of the two large units had a governor-general, but each individual island had a deputy-governor, council, assembly, and courts, "thus constituting a unique federal structure within the old empire." In 1689 the Leeward and Windward units were authorized to hold a single assembly, the first meeting of which took place the following year.

The Bermudas. The English discovered the Bermuda Islands accidentally when Sir George Somers and Sir Thomas Gates, with a fleet of nine ships en route for Virginia in 1609, were wrecked off the coast of the "ill-vexed Bermoothes."⁶ The islands, being uninhabited, were taken in the name of the king and thus became British by occupation. The survivors of the wreck remained in Bermuda for almost a year before sailing to Jamestown. Back in England in

⁶ These islands, some 350 in number, were discovered by the Portuguese and Spaniards about 1515 and were named for Juan Bermudez. Later they were called Somers Islands, the Summer Islands, and, most commonly, Bermuda. The shipwreck of Somers' ship, the *Sea Venture*, was graphically described by Shakespeare in *The Tempest*.

1610, Somers and certain London merchants, most of whom were stockholders in the Virginia Company, organized the Somers Island Company. Two years later the new charter of Virginia placed these islands—under the name of “Virginiana”—within the jurisdiction of that colony.

Within two years hundreds of settlers were sent out, houses were built, fortifications erected, tobacco and other crops planted, and the population had increased to six hundred. But the time, energy, and money involved in promoting Jamestown prevented the proper development of Bermuda. Accordingly, in 1615 the Virginia Company sold the Bermudas to “the Governour and Company of the City of London for the Plantation of the Somers Islands” for £2,000.⁷ For the next seventy years the Bermuda Company, as this organization came to be called, owned and governed the Bermuda Islands—the longest period of company control of any English colony.

Bermuda was begun under the leadership of the same men who promoted the colonization of Virginia, and in many ways it represented the same ideas and methods of settlement and government. The later course of economic, religious, and political development in the Bermudas, however, ran a strikingly different course from that of the older colony. Bermuda escaped the “starving time” and the devastating Indian wars that Virginia had experienced, some of its promoters and many of its settlers were Puritans, and, most significantly, it remained a company colony much longer.

The colony got off to a good start, but it suffered a short period of misrule when “liberty and license reigned and a perpetual Christmas ensued.” A set of regulations, similar to Dale’s Code in Virginia, was therefore drawn up by the Bermuda Company and rigidly administered by Governor Daniel Tucker. This brought order out of confusion. Provision was also made for the distribution of land among company members as a result of a survey completed in 1617. St. George’s and St. David’s and part of the main island were reserved for the company; the remaining territory was divided into eight parishes or “tribes.” Land in each parish was laid out in plots of twenty-five acres each and leased to the settlers, who were required to buy their supplies from and sell their produce to the company, as had been true in Virginia earlier.

The estates, worked by tenants on half-shares, produced tobacco, cotton, sugar cane, grapes, indigo, and other “West Indy” crops. Many agricultural experiments were also conducted on the “publique land”—silk, sugar, wine, tobacco, and fruit, only the latter two attaining any degree of success. This economic regime caused many complaints. The tenants objected to their exploitation by the planters and to the trade restrictions imposed by the company. The planters complained about the company’s requirement that all persons worth £20 must provide arms for the defense of the islands. Later, there were many protests about the Navigation Acts, particularly the “plantation duty” on tobacco.

Despite these complaints, the colony grew and prospered. By 1625 it had

⁷ Sir Thomas Smythe was the first governor of the Somers Island Company.

more than two thousand settlers and produced a larger tobacco crop than Virginia. But the increasing yield of the "weed" in Virginia and other colonies and the resultant falling prices, plus resentment at the government's monopoly of tobacco, soon brought such a shift to cattle raising and the production of foodstuffs, fruits, hogs, and poultry that the Bermudas became exporters of these commodities to the Caribbean colonies and even to the mainland. A sizable shipbuilding industry also developed, and the swift sailing craft, built largely of cedar and equipped with "Bermuda rig," carried on an extensive trade in the islands' products, as well as in salt, rum, tobacco, and other articles of the British West Indies.

As the British colonies in the Caribbean and on the mainland grew and expanded their economic interests, the Bermudas failed to keep pace and became relatively less important in the British mercantile system. By the middle of the century immigration had slackened, but emigration increased. In 1646, for instance, William Sayle, a former governor, established a colony of Bermudians at Eleutheria in the Bahama Islands. Some moved to Turk's Island to work in the salt industry; still others migrated to British colonies in the West Indies or on the mainland. The population of Bermuda was only three thousand in 1656; the greatest population, near the close of the century, was only eight thousand.

The Government of Bermuda. Bermuda had the second legislature in the British colonies and proudly boasts of its unbroken legislative history since 1620. On August 1 of that year Governor Nathaniel Butler called an assembly to meet at Georgetown (the present St. George) "in the newe framed church, fitted for that purpose." This body, sitting as one house and without a speaker, was composed of the governor and his council, the bailiffs of each of the eight "tribes," and two burgesses from each tribe elected by "plurality of voice by the chief inhabitants of the tribes." This representative legislature enacted fifteen laws, which were sent to England for approval. In striking contrast with the assemblies of the mainland colonies, the Bermuda legislature remained unicameral and exercised no judicial powers.

As a result of the efforts of the later Stuarts to royalize and centralize the colonies, the charter of the Bermuda Company was revoked in 1684 "for many misdemeanors and misgovernments" of the company. Thenceforth, Bermuda was a royal colony, very similar in governmental structure to those on the mainland.

COLONIAL POLICIES UNDER THE COMMONWEALTH AND RESTORATION

English colonization in America may be divided into three general periods, each marked by certain distinct characteristics. The first period (1577–1640), discussed in the preceding chapters, witnessed the foundations of the first English colonial empire and resulted in the establishment of three groups of colonies: the Chesapeake, or “tobacco,” colonies; the New England, or “maritime,” colonies; and the West Indian, or “sugar,” colonies. These three colonial groups lacked geographical contact, for they were widely separated by vast, unsettled regions or by water. In addition, they were flanked north, south, and west by France and Spain, and New England faced Dutch New Netherland to the west.

Yet the three colonial groups had certain common characteristics. All were the result of real colonization: the destruction or removal of the natives and occupation and cultivation of the soil by Englishmen. All developed English political and religious institutions, all had a common national origin, and all were English in speech and ideas as well. As to political organization, there developed three types of colonies: the royal, or crown, colony, as illustrated by Virginia after 1624; the proprietary province, of which Maryland was an example; and the corporate, or charter, or self-governing, colony, as illustrated by Massachusetts until 1684, and by Connecticut and Rhode Island throughout. There were marked differences in local government, but a striking similarity in fundamentals. All had a governor and council, representative of the monarchical or aristocratic principle; all had an assembly based on popular rule. All had been settled as a result of a combination of economic, political, and religious motives. The promoters of all had been individuals or private companies, not the crown, even though the crown had given the permission and granted the charters. And the history of all during this early period demonstrated the weakness of imperial control and the lack of effective administration.

By 1640 eleven colonies had been planted in the New World, seven on the

mainland and four in the West Indies. Most of them had grown into fairly prosperous communities. Their estimated population was as follows:

Virginia	15,300	Chesapeake colonies	17,300
Maryland	2,000		
Plymouth	3,000		
Massachusetts	14,000		
Connecticut	2,000	New England colonies	20,800
Rhode Island	300		
New Haven	no data		
New Hampshire and Maine	1,500		
Nevis	4,000		
St. Kitts	13,000	West Indian colonies	38,000
Barbados	18,000		
Bermuda	3,000		
Total	76,100		

It should be noted that the four West Indian colonies had as many inhabitants as all of those on the mainland put together, and that the little island of Barbados had the largest population of any single settlement. In addition to the actual colonies, there were numerous forts and trading stations in America, and thousands of English fishermen were to be found in the Newfoundland region for about six months of each year.

The Great Rebellion in England (1642-1649). The year 1640 marked not only the close of a distinct era in colonization, but the end of the period of "personal rule" by King Charles I. The so-called Long Parliament, convened on November 3 of that year, eventually became the supreme power, executive as well as legislative. The struggle for control between Royalists and Parliamentarians culminated in the outbreak in 1642 of a civil war, known as the Great Rebellion or Puritan Revolution. In the fighting that ensued, the Parliamentary forces, or Roundheads, led by Oliver Cromwell, won decisive victories over the king's troops, or Cavaliers, at Marston Moor (1644) and Naseby (1645). Charles I sought refuge in Scotland, but was ultimately captured in 1646. For the next three years various unsuccessful efforts were made to remodel the government along compromise lines. Then the king was accused of treason, found guilty by a packed court, and finally beheaded on January 30, 1649.

The Commonwealth Period. The king's execution raised the question of allegiance. Was it to be to Prince Charles, the heir apparent, or to Parliament? The Royalists insisted that the monarchy continue in the person of Charles II, but Parliament, dominated by the Puritan party, voted instead to establish a Commonwealth in May 1649, which assumed supreme authority. At the same time it was made high treason, punishable by death, to recognize Charles II or to aid in his "restoration." A new agency, the Council of State, was in a sense the plural

executive. Then, in December 1653 Cromwell was named "Lord Protector of the Commonwealth of England, Scotland, and Ireland," with tenure for life. On his death in 1658 his son Richard succeeded him. Richard's ineffective leadership, however, helped to bring to a head the latent forces of unrest and dissatisfaction. The Cromwells had never been taken into the hearts of a people wedded to the tradition of kingship. Consequently, the monarchy was restored in 1660 with the coronation of Charles II.

Colonial Administration, 1640-1660. Despite civil strife at home, England showed surprising interest in her overseas possessions. Something had to be done to make sure that the plantations were properly administered and that their trade and commerce benefited the mother country. In formulating colonial policies to meet these purposes, the various agencies of the Commonwealth government generally followed the principles established under the earlier Stuarts.

This second period of colonization (1640-1660) was one of self-government and expansion. No new colonies were planted (although Jamaica was captured from the Spaniards), but the government of the Commonwealth and the Protectorate, supported by English mercantile interests, placed great emphasis on commercial expansion. Alarmed by Dutch supremacy in the carrying trade, Parliament passed the Navigation Act of 1651, which was followed by war with the Dutch and an abortive effort to annex New Netherland in 1654. Commercial and colonial rivalry also led to war with Spain and the conquest of Jamaica in 1655.

The primary attention of the Commonwealth, however, was directed toward colonial administration. It may be recalled that James I named the Council of Virginia under the charter of 1606, and that in 1624 the colony of Virginia was royalized, thereby giving the king the right to name the colonial governor and otherwise supervise colonial affairs. Because both James I and Charles I were too busy with other matters to give personal attention to Virginia or to subsequent colonies, the responsibility was delegated to the Privy Council. As the Council also had too many other problems to deal with to give full attention to plantation affairs, ever-changing subcommittees took over the task.

Things went fairly smoothly until the aggressive, semi-independent attitude and general defiance of Massachusetts opened up the whole question of emigration to America as a phase of imperial policy. Archbishop William Laud and many others felt that England was losing too many of her "most useful people," particularly artisans and laborers, and that the nation was being drained of its gold and silver.¹

To cope with these problems, Charles I in April 1634 created a Commission for Regulating Plantations. This agency, consisting of certain members of the Privy Council and headed by Laud, is usually called the Laud Commission; in Massachusetts, however, it was referred to as "the archbishops." The commission was given broad powers to oversee the "rule and care of the soules" of the

¹ See pp. 140-146 for an account of mercantilism and the relationship of gold and silver to it.

colonists, and to "ordain temporal judges and civill magistrates." Also it might change, revoke, or annul existing laws and frame new ones, and "hear and determine all complaints . . . whether it be against the whole colonies or any governor or officer of the same." Just as important was the commission's authority over letters, patents and other writeings whatsoever . . . for or concerning the planting any colonies . . . and if, upon view thereof, the same shall appear to . . . have been surreptitiously and unduly obtained, or that any privileges or liberties therein granted, be hurtful to us, our crown or prerogative royall . . . to cause the same, according to the laws and customs of our realm of England, to be revoked.

This particular section was aimed squarely at the Bay Colony and its charter, and helped to promote the *quo warranto* action by Charles I.² Before the commission could put its powers into operation, the Great Rebellion started.

The first action of the Puritan regime to carry on this supervision was taken in November 1643, when the Long Parliament created a commission of its own members that assisted the Earl of Warwick "to dispose all things which they shall from time to time find most fit and advantageous to the well ordering, securing, strengthening, and preserving of the said Plantations, especially the advancement of the true Protestant religion." Warwick, as "governor-in-chief and lord high admiral of the Plantations in America," and any four commissioners could carry out these vast powers. The Warwick Commission found little fault with Puritan New England, but in Virginia and Maryland, where supporters of the Stuarts were in control, the situation was different.

The disturbed situation in England had prevented close supervision of the colonies up to this time. Indeed, about the only attention paid was in 1644, when an Indian uprising in Virginia caused Parliament to send several ships with food, clothing, arms, and ammunition "for the supply and defense and relief of the planters of Virginia."

With the establishment of the Council of State, however, sweeping changes took place. This Council, entrusted with colonial administration, worked through committees, the most significant of which was the Committee for Trade and Plantations, established in 1650. Two years later a standing Committee of Trade, Plantations, and Foreign Affairs, with Oliver Cromwell a leading member, was given general supervision of the colonies. Under this new organization special committees were created with special functions, and thereafter the Council of State gradually lost all its original powers and became purely advisory. The real authority after 1653 was exercised by Cromwell as Lord Protector, although a single Committee for Foreign Plantations was set up in 1655.

The Problem of Virginia. With the establishment of these various committees to supervise colonial affairs, English attention was turned toward Virginia and Maryland in particular. The Anglican-dominated Virginia legislature had passed an Act of Uniformity in 1631, which required "uniformity throughout the colony both in substance and circumstances to the canons and constitution

² See pp. 85-86.

of the Church of England." This statute, bitterly opposed by the Puritan minority, was not enforced for the next decade. In 1642, however, the young Sir William Berkeley was appointed governor. By far the outstanding executive of the colony prior to 1660, he was a member of an influential English family, a polished courtier, a staunch Royalist, a zealous Anglican, a good administrator, and a man interested in developing diversified agriculture and industry in Virginia. Nevertheless, his general reputation in American history is bad because of events that occurred during his second administration. Berkeley's dislike for both Puritans and Parliamentarians was reflected in an Act of Uniformity the next year:

For the preservation of the purity of doctrine and unity of the Church, it is enacted that all ministers whatsoever, which shall reside in the colony, are to conform to the orders and constitution of the Church of England, and not otherwise to be admitted to teach or preach publicly or privately, and that the Governor and Council do take care that all non-conformists, upon notice to them, shall be compelled to depart the colony with all convenience.

The large planters, mainly Anglican and Royalist, controlled the House of Burgesses as well as the executive branch, and thus were able to hold Virginia in the Royalist camp during the early stages of the Civil War in England.

From the point of view of Puritans in both England and Virginia, however, Governor Berkeley was becoming more and more obnoxious. In addition to his efforts to force observance of the Act of Uniformity of 1643, he had tried to help Charles I financially by persuading the legislature to levy a special tax to pay his salary, with "an eye to the Honor" of his office. Moreover, he was able to maintain control of the House of Burgesses through the large planters who sided with him. Thus, with both the executive and legislative branches favorable to the king's cause, Virginia remained loyal until 1649, when Berkeley denounced the "murderers" of the king and proclaimed the colony's allegiance to Charles II, and the legislature made it high treason to deny his sovereignty. This loyalty to the House of Stuart during the Civil War in England won for Virginia the title of "Old Dominion."

The law concerning high treason was strongly opposed, however, by the small landowners and Puritans—frequently the same people—who sent a commission to England to demand Berkeley's dismissal. Parliament, sympathetic to their request, did pass a law in October 1650 that prohibited trade with Virginia and other "rebellious colonies" and empowered the Council of State to use all the force at its command to bring Virginia to its knees, yet it allowed Berkeley to remain in office.

Other matters deemed more important delayed fulfillment of these orders until early 1652, when a fleet carrying about six hundred troops arrived in the Chesapeake, along with four commissioners to demand submission to Parliament. These commissioners, of whom William Claiborne and Richard Bennett were Virginians, landed at Jamestown to enforce their orders, but Berkeley made a gesture of defiance by calling on the colonial militia and nearby Dutch

ships to defend the colony. Before actual hostilities could develop, however, the commissioners appealed over the governor's head to the settlers not to defy the new government in England. As a result, the council and the legislature refused to allow the militia to be used.

The commissioners then offered very lenient terms to the Virginians: the same rights of trade as the people of England enjoyed, taxation by assembly only, the right of the assembly to fortify the colony, a general pardon for Royalists, the right of any person to leave the colony within one year, and the guarantee of the use of the Anglican Book of Common Prayer for a year. On March 12, 1652, Governor Berkeley, lacking adequate support, had to accept these terms in the name of Virginia. Shortly thereafter, he went into "voluntary retirement."

The Virginia legislature then remodeled the colony after the Parliamentary government in England. The governor's council was abolished as the upper house of the legislature, and the House of Burgesses was given all powers of lawmaking, with veto by the English Council of State alone. The House had sole right to tax the people and to elect the governor, council, and other officials.

Under this new regime there were three Puritan governors: Richard Bennett (1652-1655), Edward Digges (1655-1656), and Samuel Mathews (1656-1659). Governor Mathews had a serious controversy with the House of Burgesses when he claimed that his authority from England granted him the same powers and independence as a royal governor. When the legislature denied this assertion on the ground that his election and authority came from the legislature, Mathews dissolved the House. But the legislature refused to be dissolved, and stated that any member accepting the governor's order was a traitor "to the trust reposed in him by his countrymen." Mathews was temporarily removed until he acknowledged supreme legislative authority. The result of this controversy was a considerable increase in the assembly's power, authority, and independence. To all intents, the mother country made no attempt to interfere with Virginia's activities during the governorships of these three men, so that the colony enjoyed eight years of virtual self-government, during which there was considerable population growth and prosperity.

The population increase was the result in part of the arrival of some Cavaliers, though not so many as commonly supposed, and many tradesmen and laborers seeking refuge from the horrors of civil war. Numerous settlements were made in the interior or back country. In 1649 the colonial population had been estimated at fifteen thousand whites and three hundred Negro servants; eleven years later it reached a total of about thirty thousand.

Also after 1649 there was a marked increase in both the average and the maximum size of land grants. Between 1643 and 1649 the largest number of acres in any grant was 5,350, and there were only two of this size. The annual average grant during this period ranged from 333 to 595 acres. After 1650, however, there were several grants of twenty thousand acres, and the annual average ran from 591 to 890. The number of grants exceeding five thousand acres, in the twenty-two years from 1632 to 1654, was only six; on the other hand, in the

twenty-two years after 1654 there were fifty-seven, with some as large as twenty thousand acres.

Among the newcomers who benefited from this lavish granting of land were the forebears of such eminent Revolutionary figures as George Washington, Richard Henry Lee, Edmund Randolph, and James Madison. Not only were such estates large from the outset, but in time they grew even larger as a result of further purchases and fortunate marriages. They were kept intact within the family first by custom and later by the laws of primogeniture and entail.³ Also accompanying these enlarged holdings was an increase in indentured servitude and, what was more important in the long run, a rapid growth of Negro slavery. In 1642 the number of slaves was less than three hundred; by 1670 it was close to two thousand.

By no means, however, were all Virginians large landholders and owners of Negro slaves. In 1660 approximately two thirds of the population consisted of small farmers and white servants. This majority, located in the back country, was nevertheless dominated politically, economically, and socially by the wealthier planter-aristocrats, most of whom lived in the Tidewater. Those planters controlled the House of Burgesses and local government, particularly the two chief local institutions: the county court and the vestry.

The "Reduction" of Maryland. Maryland, like Virginia, was torn by civil strife between Royalists and Parliamentarians. Lord Baltimore and his governor were openly favorable to the cause of Charles I during the conflict in England. In 1643 the king commissioned Governor Leonard Calvert to aid Governor Berkeley in seizing the ships of those London merchants carrying on "a great trade in the dominion and colony of Virginia, receiving daily great advantages from thence, which they impiously spend in vast contributions toward the maintenance of an unnatural war." The subsequent arrest of shipmaster Richard Ingle led to armed uprising by Maryland supporters of the Parliamentary cause. Ingle and William Claiborne, who was still trying to regain his Kent Island property, attacked St. Mary's. Governor Calvert had to flee to Virginia, and for the next two years the "insurgents" were in control.

In 1646 the House of Lords voted to void Baltimore's patent, but there is no record that the House of Commons approved. At any event, Lord Baltimore regained control of his province in 1648 and appointed William Stone, a Protestant, as governor. When the Parliamentary commissioners decided to reduce Maryland as well in 1652, Governor Stone quickly recognized the authority of Parliament over his colony, thereby escaping the fate of Berkeley.

But the rising opposition of Maryland Puritans to the supposed Royalist sympathies of Lord Baltimore,⁴ the charges that Maryland was a "hotbed of Popery," and Stone's issuance of writs in the name of the proprietor, not of

³ These were both relics of feudalism. Under primogeniture, if a landowner died without leaving a will, his eldest son inherited all the property. Entail meant that the estate could not be sold, but must be passed on intact from generation to generation.

⁴ Actually, King Charles said that Baltimore "doth visibly adhere to the rebels."

Parliament, finally led to open revolt in 1654. As a result, Stone was deposed, the Toleration Act of 1649 repealed, except as it related to Protestants, and Lord Baltimore deprived of his governmental powers, though he retained title to the soil. Thereupon a provisional government, headed by Claiborne, long-time enemy of the proprietor because of Kent Island, and Richard Bennett, then governor of Virginia, was established. On orders from Baltimore, Stone attempted to resume the governorship in 1655, but the Puritans, chiefly in Anne Arundel County, refused to submit, and civil war broke out. In March, Stone and some two hundred supporters were decisively defeated on the banks of the Severn River, near present Annapolis, leaving the Puritans in complete control of the colony. Some of their leaders even talked about annexing Maryland to Virginia, but their triumph was short-lived.

Lord Baltimore made a personal appeal to Cromwell in 1657, which brought restoration of the proprietor's governmental authority. The following year he obtained re-enactment of the original Toleration Act, which was also incorporated in a revision of Maryland's laws in 1676 and remained in effect throughout the colonial period.⁵ Meantime, it is true, the radical Puritans passed a measure penalizing Quakers, but it was never enforced. Thus, on paper at least, and to a large degree in practice, Maryland was a colonial leader in the quest for religious freedom.

New England Under the Commonwealth. The period of the Commonwealth was more important to New England than to either Virginia or Maryland. Because the majority of New Englanders were in sympathy with the Puritan-Parliamentary cause, Parliament made no effort to reduce the New England colonies during the Cromwellian period. Consequently, that area enjoyed a remarkable growth of self-government, territorial expansion, and gains in population and wealth.

It is true, however, that during this period Massachusetts Bay experienced temporary detrimental effects. The tide of emigration was reversed as more persons returned to England than came over. Puritans were needed in the mother country; they were gaining in power: Archbishop Laud was in prison, and the Earl of Strafford, another hated enemy, had been executed. Governor Winthrop wrote: "The Parliament in England setting upon a general reformation both in church and state . . . this caused all men to stay in England in expectation of a New World [there]." The virtual stoppage of emigration caused a temporary economic depression in the colony, for new settlers usually brought money and generally stimulated trade. After 1649, however, when Puritans were in undisputed control back home, the situation in Massachusetts began to improve. The Navigation Act of 1651 was a boon to her trade, her population grew to approximately forty thousand by 1660, and the colony was more firmly established.

Massachusetts was also helped politically by the meeting of the Long Parliament and the outbreak of the Puritan Rebellion. No longer was Charles I able

⁵ The Toleration Act, of course, referred only to religious toleration. In the eighteenth century Maryland discriminated against Catholics politically in many ways.

to press *quo warranto* proceedings against its charter.⁶ Until 1660 the Bay Colony was allowed to pursue its independent course, relatively free from English interference.

Connecticut likewise benefited from the troubles in England. She was able to obtain Parliamentary recognition of the exceedingly liberal government she had established.⁷ Rhode Island, despite her lack of a charter, was not interfered with by the Commonwealth, and the same thing held true for both New Haven and New Hampshire.

Perhaps the most important indication of the freedom enjoyed by New England during the period of Puritan supremacy in England was the establishment of the New England Confederation in 1643.⁸ Certainly there would have been opposition to this organization from England had times been normal.

Regulation of Colonial Trade. The commercial interests of England, regardless of party or church affiliation, had an eye on colonial trade and were therefore alarmed by competition from the Dutch, whom Englishmen referred to as "beggars of the sea." This designation resulted from the fact that the Dutch charged lower freight rates than anyone else, something they could do because of their country's low tariff charges. Those low duties in turn stimulated Dutch business and enabled them to build more ships more cheaply than other nations, including England.

The Long Parliament, dominated by Puritans, many of whom were merchants, was anxious to break the virtual Dutch monopoly of the carrying trade. Indeed, it has been said that one of the crowning ambitions of Cromwell was "to raise his country to a leading position in the commercial world." Therefore, a number of laws were designed to promote trade of the English colonies and at the same time to exclude the Dutch from that increasing commerce. An ordinance of 1645 provided that whale oil and associated products could not be transported to England in non-English ships. The next year another measure provided that goods might be sent to any English colony free of duty for a period of three years if that colony confined its commerce to English ships.

Then, in August 1649 Parliament appointed Sir Harry Vane and fourteen others to a commission to investigate the trade and fisheries of the colonies, and "how they may be best managed and made useful for this Commonwealth; how the commodities thereof may be multiplied and improved, as those Plantations alone may supply the Commonwealth with what it necessarily wants." The next year another ordinance attempted "to hinder the carrying over of any such persons as are enemies to this Commonwealth, or that may prove dangerous to any of the English plantations in America." It also forbade foreign vessels to trade with the colonies, except under license from Parliament or Council of State.

⁶ See pp. 85-86.

⁷ See p. 105.

⁸ See pp. 108-112.

The Navigation Act of 1651. The first comprehensive measure of Parliament regulating colonial commerce was the Navigation Act of 1651, entitled "An Act for the Increase of Shipping and Encouragement of the Navigation of this Nation."⁹ Aimed primarily at the Dutch (who were not, however, mentioned by name), the law provided that all trade between England and her colonies, between English and colonial ports, and between foreign countries and English colonies must be carried only in English or colonial vessels. The sole exception was the importation of goods in ships of the producing country. Specifically, the act stated that:

No Goods or Commodities whatsoever, of the Growth, Production or Manufacture of *Asia, Africa or America*, or any part thereof . . . shall be Imported or brought into this Commonwealth of *England*, or into *Ireland*, or any other Lands . . . to this Commonwealth belonging in any other Ship or Ships . . . but only in such as do truly and without fraud belong only to the People of this Commonwealth, or the Plantations thereof . . . whereof the Master and Mariners are also for the most part of them, of the People of this Commonwealth . . . under the penalty of the forfeiture and loss of all the Goods that shall be Imported contrary to this Act.

And . . . no Good or Commodities of the Growth, Production or Manufacture of *Europe*, or of any part thereof . . . shall be Imported or brought into this Commonwealth of *England*, or into *Ireland*, or any other Lands . . . to this Commonwealth belonging . . .

Coastwise trade was closed to foreign ships. No salted fish, oil, whale fins, or whale bones could be brought into England or the colonies "except such as are caught in vessels belonging to the people of this nation," and no salted fish or oil could be exported except in English ships.

No satisfactory provision was made for enforcing this law; no additional customs officials were appointed. Perhaps this was because the Puritans in England who passed the measure did not wish to injure in any way their fellow Puritans in commercial New England. At any event, the law was evaded, and smuggling became more prevalent. Yet, the Dutch eventually did feel the effects of the measure, which was a contributing factor to the wars that ensued.

The Anglo-Dutch War (1652-1654). By the time the Navigation Act of 1651 was passed, the Dutch had built up an extensive colonial empire in various parts of the world. As far as the English were concerned, New Netherland¹⁰ was the most troublesome because it formed a wedge between the Chesapeake and New England colonies and blocked the westward expansion of New England. Hence, keen territorial rivalry was added to English jealousy of the enormous development of the Dutch carrying trade.

The Dutch were so angry over the passage of the Act of 1651 and English

⁹ Acts to limit trade to English ships were not new. They had been passed during the reigns of Richard II, Edward IV, Henry VII, and Elizabeth I.

¹⁰ See Chapter 11.

insistence on the right of "visit and search" of Dutch ships on the high seas that they declared war on England in 1652. Perhaps they barely anticipated an English declaration, for New Netherland was obviously a serious obstacle to enforcement of the Navigation Act and other English trade laws.

Near the close of the European phase of the Anglo-Dutch War an English expedition, headed by Robert Sedgwick and John Leverett, both of Massachusetts, was fitted out to dislodge the Dutch from New Netherland. The two leaders were ordered to raise men in New England, and at least three colonies complied. But peace was concluded in Europe just as the expedition was ready to launch its attack in June 1654, so the conquest of New Netherland was postponed for another decade.

Cromwell's "Western Design." Scarcely had the Anglo-Dutch War ended, without result as far as America was concerned, when England became involved in a conflict with Spain (1655). During its course, English attacks were renewed on Spanish trade and Spanish colonies—attacks welcomed and, in some cases, suggested by several Puritan leaders in New England. John Cotton, for instance, had recommended an attack on the Spanish West Indies, and Roger Williams, after talking with Oliver Cromwell, said he had "strong thoughts of Hispaniola and Cuba." When Thomas Modyford, governor of Barbados, was consulted about the wisdom of such a campaign, he advised seizure of all the Spanish Main. Actually, however, only Jamaica was captured by the English.¹¹

Cromwell, who viewed New England "only with an eye of pity, as poor, cold, and useless," wished to persuade its inhabitants to settle in Jamaica. Some New Englanders, especially in New Haven, looked with favor upon this proposal, and apparently both Roger Williams and John Winthrop, Jr., discussed it with Cromwell. Presently, the Protector sent Daniel Gookin to New England to advertise the island's advantages, and both New Haven and Massachusetts investigated the potentialities of Jamaica. Gookin finally reported to Cromwell that after eight months of activity he had been able to interest only three hundred people in the enterprise. Therefore, Cromwell abandoned his "Western Design," but the West Indies came to play an ever-increasing role in British policy.

Meantime, Thomas Povey, Martin Noell, John Mills, and other prominent English merchants suggested further encroachments on Spanish territory. They advised Cromwell to establish a West Indies Company, and also to create a special council for America, having "one embodied commonwealth whose head and center is here [England]." This council would require all colonial governors to make reports on laws, population, defense, and other matters. All governors should also be commissioned and instructed by the English government, and receive their salaries from the mother country, not the colonies. All proprietary colonies should be "reduced as near as possible to the same method and all conform to one model... all be united into one commonwealth and regulated

¹¹ See pp. 121-122.

King Charles the Second. (Courtesy of North Carolina State Department of Archives and History)



in common and equal principles.” The colonies should also be “persuaded” to raise from £10,000 to £20,000 “to be lodged in England on their account,” and disposed of by the “Council of America” in service of the colonies. These proposals were not adopted, but many of the ideas appeared later under the Restoration. Some of them eventually became a permanent part of British colonial policy.

General Characteristics of the Restoration Era. Some historians have been very critical of the Restoration era, seeing in it the breakdown of popular government, intolerance in religion, and low morality, both public and private. They have said that it was a period of “retrogression, politically, institutionally, and socially.” Though there is truth in these general charges, the Restoration, nevertheless, was a period of great expansion and vigor in almost every aspect of English life. It was the era of John Bunyan and his *Pilgrim’s Progress*, George Fox and the Quakers, William Penn and his “Holy Experiment,” and other outstanding leaders in religion. It was the age of Thomas Hobbes and his *Leviathan*, John Locke and his *Essay concerning Human Understanding*, James Harrington and his *Oceana*, and other important political theorists. It was also a time of great advances in the natural sciences, as exemplified in the founding of the Royal Society of London. Above all, it was a period of expanding interest in the trinity that made England a strong world power: commerce, sea power, and colonies.

The third phase of colonization, during the reign of the “Merrie Monarch,” **Charles II (1660-1685)**, was the greatest age of territorial expansion and

colonization in British history, and the colonization was less haphazard than before. This period witnessed the filling in of the Atlantic seaboard by the conquest of New Netherland from the Dutch and by the extension of the southern frontier into Spanish Florida. All the English colonies established in these new areas grew out of proprietary grants. Closer contacts were also effected with the West Indies. Increased interest in fisheries and the fur trade were shown, and the Hudson's Bay Company was organized.

The beginning of the widespread immigration of non-English settlers was another feature of this period. No longer interested in the disposal of its "surplus population," and believing that "people are wealth," Charles II and the English leaders encouraged Protestant refugees of European countries to settle in English America. By 1685 "foreigners" were to be found in all the colonies —Dutch and Flemish in New York, Swedes and Finns in the Delaware region, French Huguenots in Virginia and Carolina. Consequently, many non-English ideas, customs, habits, and characteristics were introduced, resulting in modifications of English ideas and institutions. Thus "the forces which were finally to create a new and different national type were already at work." There was also the first marked increase in Negro slavery, the result of English entrance into the trade, as demonstrated by the creation of the Royal African Company in 1672.

Predominance of Economic Motives. In contrast with the earlier colonization, religious and political motives were now of little significance. The impelling force of the new colonies was economic. Trade, rather than colonization as such, was emphasized; the desire for "returns" from the plantations overseas was of major importance. Religious differences were disappearing, and political issues, though important, had been answered in part by the experiments of the Puritan Revolution.

There were many reasons for the shift to economic interests, one of the most important being the influence of the merchant class. Colonization was no longer an experiment. In 1660 there were seven successful mainland colonies, besides those in the West Indies, with a total population of some eighty thousand. Their commercial importance and trade possibilities were already demonstrated by exports to England of large quantities of sugar, tobacco, furs, lumber, fish, naval stores, and other products, and the financially hard-pressed king was already realizing some revenue from import duties on colonial goods. An Address to the King in 1660 stated that the colonies were "beginning to grow into Commodities of great value and Esteeme," and that tobacco alone "paies more Custome to his Majestie than the East Indies four times over." Colonial purchases of English goods were likewise increasing. Prosperous colonies that offered great opportunities for commercial exploitation had an increasing appeal to English merchants and manufacturers. The merchant class was the dominant force in the Cromwellian era, and this same group was eager to support Charles II, who continued, and even expanded, his predecessor's policies. Furthermore,

the Stuart king understood the necessity of winning the Puritan merchants' support.

Economic Interests of King and Royalists. But the merchants and manufacturers were not the only ones interested in commercial and colonial expansion. England had many "bankrupt Royalists" whose fortunes had been wiped out by their sacrifices in the royal cause, their expenses during long exile, the confiscation of their estates, and the subsequent restoration of those holdings without compensation for damage or arrears of rent. There was dire need of funds for rebuilding and for expenses at court. The king had returned "from his journeys" with an empty purse. Normal taxes would provide enough income to take care of ordinary expenses of government, but the cost of maintaining a splendid court required new and unusual sources of revenue. Thus, it was a propitious time for new ventures in colonization and commerce.

Indeed, Charles II and other members of the royal family had a personal stake in the new expansion. With the support of Parliament, the king refused to surrender Jamaica to Spain. By his marriage to a Portuguese princess, England had gained strategic posts and trade concessions in the Old World. Charles II was personally interested in the slave trade. His uncle, Prince Rupert, was a heavy investor in this traffic and organized and headed the Hudson's Bay Company to promote the fur trade. Charles's brother James also had investments in the fur trade and slave trade and was Lord High Admiral of the Navy.

Hence, the Restoration ushered in a new colonial era notable for: (1) the regulation of colonial trade, best exemplified by the Navigation Act of 1660, the Staple Act of 1663, and the Plantation Duty Act of 1673; (2) conquest of the alien territory of New Netherland in 1664; (3) the establishment of many new colonies, all proprietary; and (4) the opening of new areas of trade through the establishment of the Hudson's Bay Company and the Royal African Company.

Interest in More Concentrated Control. Up to 1660 English colonial expansion had been more or less haphazard, with the direction left largely in the hands of companies or proprietors. There resulted a variety of governmental forms, a lack of intercolonial unity and cooperation, and a weakness of imperial control. Intercolonial rivalries for trade and territory were detrimental to imperial commerce and disastrous to defense. Realization of the disadvantages of this state of affairs came as early as 1656, when the *Inquiry of London Merchants* raised the question, "Whether it would not be a prudentiall thing to draw all the Islands, Colonies, and Dominions of America under one and the same management here?" But the problems connected with the ending of the Protectorate prevented prompt consideration of this proposal.

The Londoners now queried the new king as to "how the forraigne plantations may be made more useful to the Trade and Navigation of these Kingdoms." In partial answer, through the combined efforts of merchants and polit-

ical leaders, a new colonial policy was developed that emphasized revenues, maritime power, and defense. To carry out these objectives, it became necessary to extend imperial control over colonial trade and government.

The Mercantile System. First consideration was given to imperial trade. The ideas behind this policy are known as mercantilism, which was not peculiarly English, but was promoted by all colonial powers. The major objective was to strengthen and enrich the mother country, whose power was measured in terms of wealth, population, and merchant marine.

The first necessity was wealth, which was measured by the quantities of precious metals—chiefly gold and silver—in a nation's control. The accumulation of such metals, certainly as far as England was concerned, was determined by the trade balance. Thomas Mun, an outstanding advocate of mercantilism, wrote in a tract, *England's Treasure by Forraign Trade* (1664) :

The means to increase our wealth and treasure is by Forraign Trade, wherein wee must ever observe this rule, to sell more to strangers yearly than wee consume of theirs in value.

There were many ramifications of this desire to have an excess of exports over imports. For insular England, there must be a great degree of self-sufficiency, because, in case of war, she might be cut off from normal foreign imports. Thus, domestic manufacturing was encouraged, not only to satisfy English demands, but to provide a larger surplus for exportation, which in turn would contribute to a more favorable balance of trade and bring in more gold. A larger population was another necessity, for it would not only increase the consuming public at home, but provide a larger potential labor supply for industry. That enlarged buying public would be aided in purchasing by developing a broader circulation of money in England, which would likewise promote a wider interchange of domestic manufactures.

The English government would do its share in numerous ways. It would aid new industries with bounties, rebates, and the like; to do so would help the trend toward greater self-sufficiency and promote exports. The government would bar competition from foreign countries by restrictive measures, such as erecting a high tariff wall. Commercial treaties were to be negotiated to help English manufacturers in particular and the middle class, the national backbone, in general. The merchant marine was to be encouraged with a monopoly of imperial trade; this would help the shipbuilding industry and train more seamen. In similar fashion, the fisheries would be promoted, so that they would seek new ships, employ more sailors, and provide another export item. The enlarged merchant marine and fishing fleets both would contribute ships and trained men to a stronger navy.

Colonies became a necessity to mercantilism. They would provide additional markets for England's manufactures and supply raw materials that English industry otherwise would have to purchase abroad. Thus, colonies would help to enlarge England's export trade and cut down non-English imports. The

mother country would have a more favorable trade balance with foreign countries, and there would be a greater degree of imperial self-sufficiency. And by keeping the trade between England and her colonies in imperial-owned ships, the merchant marine—and therefore the navy—would be strengthened. Thus, mercantilism in its broadest sense became the basis for the imperial plans of Charles II.

The Navigation Act of 1660. One mercantilistic goal was sought by a series of trade laws. The first step under Charles II was taken when a Parliamentary committee, headed by George Downing,¹² was appointed to consider “encouraging and regulating manufactures and navigations in English ships.” The committee recommended legislation, which was passed as the Navigation Act of 1660.

This law, entitled “An Act for Encourageing and increasing of Shipping and Navigation,” was basically a continuation of the now illegal Act of 1651;¹³ under it

noe Goods or Commodities whatsoever shall be Imported or Exported out of any Lands Islands Plantations or Territories to his Majesty belonging . . . in Asia Africa or America in any other Ship or Ships . . . but . . . as doe truley and without fraude belong onely to the people of England or Ireland Dominion of Wales or Towne of Berwicke upon Tweede, or are of the built of, and belonging to any of the said Lands Islands Plantations or Territories . . . whereof the Master and three fourthes of the Marriners at least are English under the penalty of the Forfeiture and Losse of all the Goods and Commodityes. . . .

In similar fashion, all goods imported into England from her possessions in Asia, Africa, and America must be carried in English or colonial ships, manned principally by Englishmen. Foreign commodities destined for England must be transported in English ships or in those of the country producing such commodities.¹⁴ Bonds must be posted to insure the fulfillment of these clauses. This part of the measure, like the Act of 1651 from which it was largely copied, was passed in the interest of imperial commerce and shipbuilding and was aimed primarily at the Dutch. The Dutch could not legally participate in the carrying trade between England and her colonies, and, as she produced practically nothing England wanted to buy, she could carry but few articles from Europe to England.

¹² George Downing, first graduate of Harvard College and nephew of Governor John Winthrop, had tried to crown Cromwell in 1657. Then he became an ardent supporter of Charles II and was made minister to Holland. The Treasury Board met at his house, situated in Downing Street.

¹³ The new regime of Charles II did not recognize the validity of any measures approved during the interregnum. Charles II also dated his reign from the time of his father's execution. Thus the Navigation Act of 1660 was 12 Chas. II, Cap. 18.

¹⁴ The English courts decided that the wording of the act as a whole meant that this clause referred only to importations from Asia, Africa, and America. Thus European articles did not have to be taken to England directly from the country of origin.

A second part of the Navigation Act of 1660 contained a new provision to promote mercantilism. This "amendment" stated that

Sugars Tobacco Cotton Wool Indicoes Ginger Fustick or other dyeing wood of the Growth Production or Manufacture of any English Plantations in America . . . shall be shiped carried conveyed or transported . . .

only to England, Ireland, or some other English province. The purpose was to make sure that these so-called "enumerated articles," which English manufacturers could use, were kept within the empire. By this restriction, the empire would be made more self-sufficient, the need of importing these articles from foreign countries would be reduced and the balance of trade improved, and the crown would obtain increased revenues from the customs duties levied upon the enumerated articles. This part of the Navigation Act also indicated the importance of the West Indies to the British economy. Only one of the articles named, tobacco, was grown in exportable quantities in the mainland colonies, and the "weed" was already controlled under the terms of the Tobacco Contract of 1621.

In 1662 the so-called Act of Frauds clarified the Navigation Act. It gave a more explicit definition of English-built ships, and allowed a "Forreign built Ship" purchased by an Englishman before October 1, 1662, to participate in imperial commerce. Much more important to the colonies, however, was the clause that stated: "Any of His Majesties Subjects of England Ireland and His Plantations are to be accounted English and no others. . ." Thereby English colonists could build and man ships for imperial trade.

Although the Navigation Act of 1660 with its clarification was designed in part to establish an English monopoly of essential raw materials, the measure as a whole was not detrimental to the colonies.¹⁵ They were assured of a market for their enumerated products, and they were relieved of competition from the Dutch. The act was also a great boon to colonial shipbuilding. Furthermore, the colonies were still free to import directly from foreign countries and to export all but enumerated articles wherever they wished.

The Staple Act of 1663. The comparative freedom of colonial importing, however, provoked increasing complaints from the politically and economically powerful English merchants and manufacturers. Consequently, in 1663 Parliament passed "An Act for the Encouragement of Trade," more popularly called the Staple Act. The avowed purpose of this new measure was

For the maintaining a greater correspondence and kindness betweene them [the colonies] and keepeing them in a firmer dependence upon it [England], and rendring them yet more beneficial and advantagious unto it in the farther Imployment and En-

¹⁵ There is still a difference of opinion concerning the effects of this and subsequent navigation measures on the colonies. Oliver M. Dickerson, in *The Navigation Acts and the American Revolution* (1951), insists that the acts did not seriously injure the colonies, but Lawrence A. Harper, in *English Navigation Laws* (1939), asserts that they were harmful. Both views have numerous supporters.

crease of English Shipping and Seamen . . . and makeing this Kingdome a Staple not only of the Commodities of those Plantations but alsoe of the Commodities of other Countryes and Places for the supplying of them. . . .

In order to accomplish this objective, all foreign imports destined for the colonies must first be landed in England.¹⁶ Such goods would then be reshipped to the colonies in English or colonial vessels. The purposes of these requirements were to prevent Dutch competition, to diminish an independent colonial import trade, to enlarge the market for English manufactures, to develop a wholesale business handled by English middlemen, and to train the colonies to look to the mother country as the source of all purchases. Thus, England would become the "staple"—or market—for European imports to the colonies. And, as a result of becoming the economic center, the mother country would also strengthen her political control over the colonies.

There is a difference of opinion about the effect of the Staple Act on America. Some writers insist that this measure was not really harmful, contending that the colonies sold to England in large part anyway, and therefore they would tend to buy as much as possible from her because of the credit situation. Moreover, because the English duty collected when European commodities were landed in England was rebated on reshipment to America, colonists could buy such items more cheaply than could Englishmen. On the other hand, there are historians who criticize the act as "a monument to legislative capacity for combining diverse and unrelated topics," and as proof that the mercantilist system was not "well-balanced and impartially designed for the good of the empire as a whole." Instead, the Staple Act was designed to aid the interests of English middlemen. These critics point out that even though the duty was rebated, the fees charged for bonds, searchers, collectors, portage, and wharfage added considerably to the price the colonists ultimately had to pay for European goods. They argue further that the cost of freighting in English ships was much higher than in Dutch vessels. Consequently, colonists would have been able to buy for one third less through the Netherlands.

Attacks have also been made on the Navigation Act, particularly the enumerated articles clause. Instead of being to the colonies' advantage by affording them an assured market for such commodities, the clause compelled them to pay English factors such high fees for handling the articles that most of the profit was lost. For example, the charges for handling and selling a hogshead of tobacco in England were often greater than the selling price. Virginia merchants complained that the act caused a decline in tobacco prices, and John Bland, a London merchant trading in Virginia, wrote a strong protest against both the Navigation Act and the Staple Act as being detrimental to trade. It is difficult to determine whether these measures were beneficial or harmful to the colonies; probably they were both.

¹⁶ There were a few exceptions: salt for the New England and Newfoundland fisheries; wines from the Madeiras and Azores; and products, including servants and horses, from Scotland and Ireland.

The Plantation Duty Act of 1673. The Navigation Act of 1660 required the bonding of ships clearing colonial ports for England with enumerated articles. Tobacco was one of these, and the increasing demand for it, plus the required customs duty in England and the handling charges, led to colonial evasion, smuggling, and illicit trade. For example, tobacco was shipped from one English colony to another (often under deceptive labels, such as "bait for New England fishermen"), which was legal under the act, but thence was transported to foreign ports, notably to Holland, which was illegal. This practice reduced the royal revenues from customs and also worked hardship on honest traders.

Largely to check this illicit trade, Parliament passed "An Act . . . for the better secureing the Plantation Trade," usually called the Plantation Duty Act of 1673. This law continued the bonding feature of the 1660 measure, but added a new requirement, the payment of the customary English duties when a ship cleared one colonial port for another while carrying enumerated articles. It was hoped that this payment would cause the colonists to export such commodities directly to England. Another important feature was the provision for appointment of colonial customs collectors, directly responsible to the commissioners of customs in England. They were to enforce the new restrictions on colonial trade, for the Duty Act "was intended not so much to raise a revenue to the Crown as to prevent an unlimited trade then in practice of carrying tobacco to another [Plantation] and conveying it thence to divers parts of Europe."

Strengthening Royal Control. Enforcement of the trade laws depended to a large degree upon unity and efficiency of administration. Hence, the second major policy of the Restoration was the "substitution of a uniform system of colonial government for the hit-or-miss methods of earlier times." Proposals for enforcement and administration of the mercantile system marked the beginning of a real imperial plan of colonial government, including appointment of royal enforcement officials in the colonies. The Act of 1663 required governors to enforce the Navigation Acts, under penalty of a £1,000 fine, removal, and ineligibility for future office. The Act of 1673 provided for collectors in the colonies responsible to England. Colonial affairs were to be under supervision of the Privy Council, which in 1660 appointed a Committee for Foreign Plantations, composed of "several principal merchants," ministers of state, and prominent nobles. The merchants were experts in colonial trade; the other members gave "dignity and encouragement." The chief duties and functions were to collect information about the colonies, to investigate their charters and land grants, to gather complete knowledge of their governments "that you may be the better able to understand, judge and administer such affaires," and to study their complaints, wants, and needs. Above all, the committee members were expected

To applie your selves to all prudentiall means for the rendering those dominions usefull to England and England Helpful to them, and for the bringing the severall Colonies and Plantacions, within themselves, into a more certaine civil and uniforme government and for the better ordering and distributeing of publique justice among them.

In 1668 a new Council of Trade was created, along with four Privy Council committees: Foreign Affairs, Military Affairs, Petitions and Grievances, and Trade and Plantations. These various agencies were not wholly satisfactory. Their functions and duties frequently overlapped, and, without specific instructions, they sometimes assumed ungranted powers. Moreover, their major functions were not concerned with colonial administration.

In an attempt to remedy these defects, in 1675 a single advisory agency was established, the Lords Commissioners of Trade and Plantations, usually called the Lords of Trade. It consisted of twenty-four privy councilors with broad powers: to draft commissions and instructions for royal governors, to send out questionnaires to colonial officials, and to make reports to the Privy Council on colonial conditions. The Lords of Trade were a zealous, hard-working body, averaging fifty meetings a year during their twenty-year existence. Because all were members as well of the Privy Council and therefore had many other duties, they could not devote full attention to colonial affairs. The most notable achievement of this agency was the plan for colonial consolidation through the establishment of the Dominion of New England.¹⁷

Compensations to the Colonies. All of the Navigation Acts defined England's commercial policy. True, the primary purpose of these measures was to increase the usefulness of the colonies to the mother country and to subordinate colonial to English interests. Nevertheless, it was no part of the plan to strangle the colonies economically; the old view that these laws placed the colonies in an economic strait jacket is far from true. It was obvious to English business and commercial leaders, as well as to the king and his advisers, that strong, prosperous colonies would produce more raw materials and buy more finished products.

Therefore, compensations were devised to offset the restrictions. First of all, the colonies were guaranteed monopolies of enumerated articles in the English market. Next, production of tobacco in England was prohibited. Moreover, drawbacks or rebates were allowed on European goods reshipped from England to the colonies, thus enabling colonists to buy them at lower prices. Bounties were later voted by Parliament for colonial naval stores, potash, indigo, and numerous other essential items. And finally, the measures promoted colonial shipbuilding, and the resultant merchant marine was not only protected by the powerful royal navy, but largely freed from Dutch competition.

Both mother country and colonies did profit from this system. In 1660, for instance, English exports were about £2 million, and imports about £6 million; hence, there was an unfavorable balance of trade. By 1700 her imports were approximately the same, but exports had increased to £7 million. In 1660 colonial commerce formed about one tenth of the total imperial trade; in 1700 it was one seventh, or an increase from an estimated £600,000 to nearly £1.2 million. During the same period the merchant marine more than doubled, a growth largely due to increased colonial trade. The customs commissioners re-

¹⁷ See pp. 207-210.

ported in 1678 that "The Plantacion trade is one of the greatest nurseries of the Shipping and Seamen of this Kingdome, and one of the greatest branches of its trade." Together with the fisheries, it furnished almost three fourths "of all the seamen of the Nation."

The Navigation Acts were laxly enforced and widely evaded. Each successive measure revealed the fact by attempting to plug loopholes in previous laws. It was not until the Act of 1673 that provision was made for customs officials in the colonies directly responsible to England. Prior to that time England relied upon governors for enforcement; for the governors to do so would have made them unpopular—and some were unpopular enough already. Governor William Berkeley of Virginia, a wealthy planter, made little effort to enforce the Plantation Duty Act. Opposition to this law was also a major cause of Culpeper's Rebellion in North Carolina in 1677-1678, and a customs official was murdered in Maryland.

Colonial courts simply refused to convict evaders of the Navigation Acts. This was especially true in New England, where smuggling was so prevalent that Edward Randolph was sent over in 1676 to investigate. He reported that the trade laws were being flagrantly violated and that local courts would not enforce the measures. Two years later, as collector of the king's revenue in Massachusetts, Randolph seized a number of ships for smuggling. Of the first nine cases, the jury rendered a verdict of "not guilty" in eight; the ninth defendant was found guilty, but the court ordered the fine paid into the colonial treasury. This, too, was a violation of the law, for one third of the proceeds was supposed to go to the informer, another third to the crown, and the remainder to the governor. It was estimated that the amount of tobacco transported from the colonies by the Dutch cost the English crown £10,000 annually in customs revenues.

Development of Imperial Control. The steady development of imperial control during the Restoration era is seen by contrasting the charters of Connecticut (1662), Rhode Island (1663), and Carolina (1663) with that of Pennsylvania (1681). The first three, granted near the beginning of the reign of Charles II, established governments almost independent of the crown. The charter of Pennsylvania, on the other hand, provided for appeals from colonial courts to the Privy Council, for royal disallowance of its laws, for a resident agent in England to answer for enforcement of the trade laws, and for the right of Parliament to tax Pennsylvania residents.

This growing imperial control and the tendency toward royalization and centralization are also seen in attacks on colonial charters, especially after 1680. The difficulties of law enforcement and the semi-independence of some colonies, especially Massachusetts, were inconsistent with the new policy of imperial control. English merchants could see no reason for corporate colonies; they believed that executive control must be in the hands of a governor appointed by and responsible to the mother country. Therefore, beginning about 1680, efforts were made to bring all the colonies under direct control of the crown. This was climaxed by the revocation of the Massachusetts charter in 1684, followed shortly

by the creation of the Dominion of New England. The full story will be told in a later chapter; suffice it to say here that by 1730 all the colonies except Connecticut and Rhode Island (which remained self-governing) and Maryland and Pennsylvania (which remained proprietary) had been transformed into royal provinces.

THE CAROLINA PROPRIETARY

*

Charles II, happy on his throne, was not eager to "go on his travels again." He was hard pressed for funds, however, and needed financial support from prominent merchants, landowners, and courtiers. The proprietary grant of Carolina was therefore a means of paying a political debt to those who had helped restore him and who might be relied upon to keep him in power. Also, it was thoroughly in line with the mercantilist philosophy.

Early Efforts at Settlement. Much of the region embraced in the Carolina proprietary grant of 1663 had originally been included in the Virginia charter of 1606, which extended from thirty-four degrees to forty-five degrees, but for many years there were no settlements south of thirty-six degrees in the area referred to as "South Virginia," "New Brittaine," and even "North Florida." In 1622 John Pory, presiding officer of the first Virginia legislature, made a sixty-mile trip to the Chowan River-Albemarle Sound region, which he described as a "very fruitful and pleasant Country, yielding two harvests in a yeere."

Shortly thereafter, Virginia was royalized, and its ungranted lands reverted to the crown, for the king to do with as he wished. Gradually, the southern area attracted some attention in England, and in 1629 Charles I gave his attorney-general, Sir Robert Heath, "A certaine Region or Territory" called the "Province of Carolana" [Land of Charles] between thirty-one and thirty-six degrees north latitude. This patent stated the motives for prospective colonization: to promote the glory of the empire, the Anglican faith, and English trade.

Heath failed to settle his extensive domain and a decade later assigned it to the Duke of Norfolk, whose plans to colonize also did not materialize. Meanwhile, hunters, trappers, and traders filtered into the area from Virginia. In 1650 one of them, Edward Bland, published a promotional tract called *The Discovery of New Brittaine*, describing the fine tobacco he had seen, sugar cane "twenty-five foot long and six inches round," silver and copper ornaments of the Indians, and declaring that "they have two crops of Indian Corne yearly, whereas Virginia hath but one." He successfully asked Virginia for permission to colonize "Virginia's Confines," but again no settlement was made. Next, in 1653 Roger Green obtained from the Virginia legislature a grant of ten thousand acres for the hundred persons who "should first seat on the Roanoke and on the lands on

the south side of the Chowan." There is no definite record that the terms were fulfilled.

Considering the optimistic reports of both Pory and Bland, it may be wondered why no settlements were made in Carolina prior to the 1660's. The usual reasons given are first, the general reports that were spread about the inability of Englishmen to thrive in such a climate—some New Englanders, for example, who attempted a colony near the mouth of the Cape Fear River soon abandoned the effort, leaving a warning to future comers to avoid the area as unfit for human habitation—and secondly, the feeling that Carolina was too difficult to reach by sea or overland.

Starting about 1657, however, discontented Virginians sought new lands and opportunities in Carolina, Maryland, and elsewhere. The oldest extant deed for land in present North Carolina was given to George Durant by the king of the Yeopim Indians on March 1, 1662; it referred to previous land sales to whites. And by the end of 1662 purchases from Indians were so common that they were forbidden by Virginia authorities. Three years later, however, it was reported that a county "forty miles square will not comprehend the inhabitants there already settled." A number of Virginians were to be found around Albemarle Sound before the issuance of the proprietary grant in 1663.

The Barbadians and Carolina Colonization. There is a close connection between conditions in Barbados and the colonization of Carolina, particularly the portion that became South Carolina. Barbados, by the middle of the seventeenth century, was the chief source of British sugar and molasses. Its growth was phenomenal. During the Commonwealth era many Royalists found refuge there, some of whom played prominent roles in the settlement of Carolina. When Charles II substituted royal control for Cromwell's liberal government in Barbados in 1663, an era of economic depression ensued. The hard-pressed sugar planters saw opportunities for new settlements south of Virginia, and it was not long until there was a sizable exodus.

Among the Barbadian leaders was Sir John Colleton, a Royalist refugee who had spent a fortune in behalf of the Stuart family. He returned to England in 1660 to become a member of both the Privy Council and the Committee for Foreign Plantations. One of his committee associates was Anthony Ashley-Cooper (later the first Earl of Shaftesbury), Chancellor of the Exchequer and also a landowner in Barbados. Others were George Monck, Duke of Albemarle, who was "Master of the King's Horse and Captain General of all his forces"; Edward Hyde, Earl of Clarendon, Lord High Chancellor of England and the king's first minister, who was also a landowner in Jamaica; and Sir George Carteret, privy councilor, vice-chamberlain of the royal household, treasurer of the navy, and former governor of the Channel island of Jersey.¹ The other three men who became proprietors of Carolina were Sir William Berkeley, governor of Virginia; his elder brother, Lord John Berkeley, privy councilor and

¹ Albemarle had taken the lead in restoring Charles II to the throne; Clarendon was the father-in-law of James, the Duke of York (later James II).

active in naval administration; and the Earl of Craven, an old soldier of the king and a very wealthy man. Apparently, Colleton was the first to suggest a proprietary charter, though Lord John Berkeley acted "as agent for the enlistment of more influential men" in persuading Charles II to make the grant.²

Besides the personal aims and ambitions of Charles II, there were at least four motives for issuing the Carolina charter: "a laudable and pious zeal for the propagation of the Christian Faith"; "the enlargement of our Empire and Dominions"; the increase of British commerce; and the improvement of the proprietors' fortunes, and therefore of the king's.

The Carolina Charter of 1663. By the terms of the charter of 1663, the eight "true and absolute Lords Proprietors" were granted all territory between thirty-one and thirty-six degrees north latitude,³ "and to the west as far as the south seas," to be held "in free and common socage." A nominal annual rental of "twenty marks of lawful money of England" was to be paid the king for this huge tract, as well as one fourth of all gold and silver mined. Proprietary shares were "alienable and heritable." Like other proprietary grants, the recipients were "to have, use, exercise, and enjoy" any power "any Bishop of Durham in our Kingdom of England ever heretofore have held, used, or enjoyed."

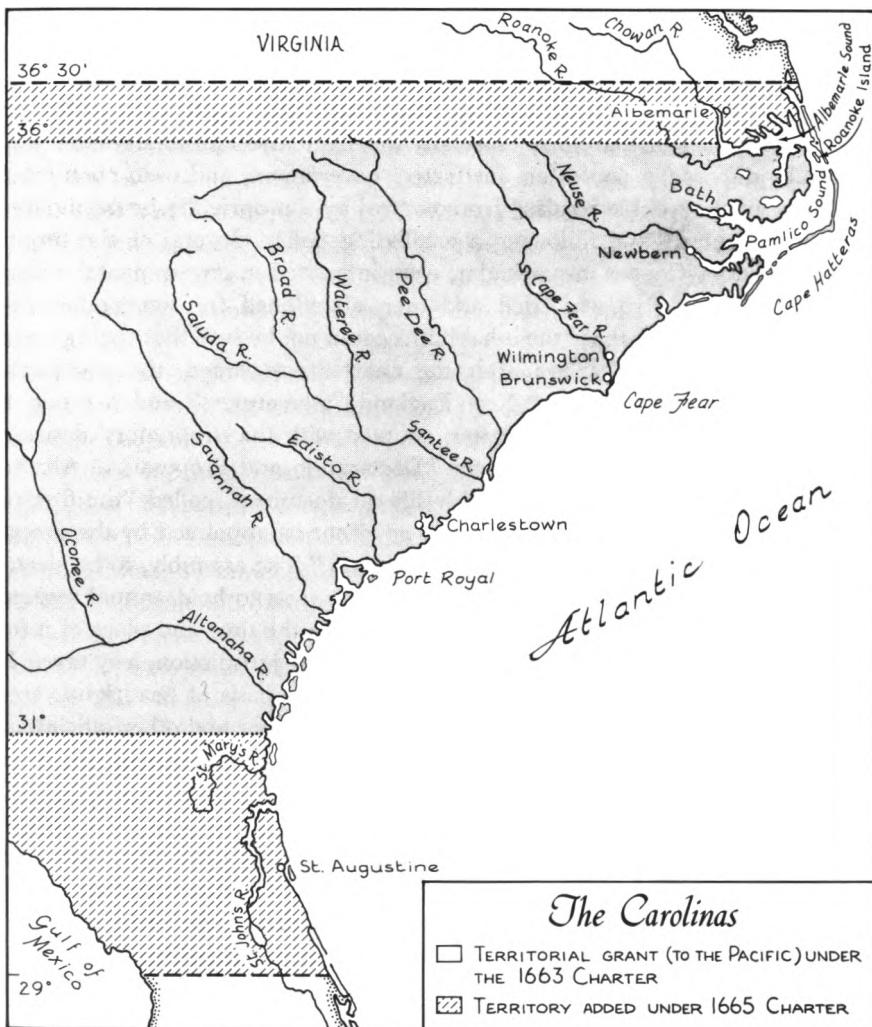
The eight proprietors were granted "full power and authority" to create and fill offices, to establish local units of government, to incorporate towns and ports of entry, to erect as many "mannors" as needed, to establish courts, to collect customs, fees, and taxes, to establish churches, to grant land, to confer titles of nobility, provided they were not the same as those of England, to raise and maintain a militia, build forts, suppress rebellion, and wage war by land and sea.

In spite of these broad proprietary powers, the rights and privileges of the people were carefully guarded in order to attract settlers. Laws were to be enacted only "by and with the advice, assent and approbation of the freemen, or the greater part of them, or of their delegates," and they must be "reasonable, and not repugnant or contrary" to those of England. Even more significant was the guarantee of the "liberties, franchises, and privileges of the king's subjects resident within the realm of England." The settlers were also promised freedom of trade and freedom from taxation except "by and with the consent of the free people or the greater part of them." Churches were to be "dedicated and consecrated according to the ecclesiastical laws of England," but otherwise "full and free liberty of conscience" was granted to all.⁴

² Charles M. Andrews maintained that the Carolina grant was not a voluntary act on the part of Charles II, but was "put through and assented to" by the sovereign. A more recent scholar, W. F. Craven, declared that the king "probably opposed the grant but found this skilfully assembled group too many for him."

³ In 1665 the boundaries were extended northward thirty minutes in order to include the settlements already made around Albemarle Sound, and southward two degrees as a "thrust at Spanish Florida."

⁴ The clause specifically stated: "And because it may happen that some of the people and inhabitants of the said Province, cannot in their private opinions, conform to the publick exercise of religion, according to the liturgy form and ceremonies of the Church of



Proprietary Plans. Within a few months after the issuance of the charter, the Duke of Norfolk and Henry Vassall each declared before the Privy Council that a great portion of Carolina had been assigned them by Sir Robert Heath. That body, of which Albemarle and Clarendon were members, found that "no English whatsoever have, by virtue of such Grants, hitherto planted in the said Province, and that such Letters (if any were) are become void." With this obstacle removed, and to show the king that they "slept not with their grant," the new proprietors made plans for three "counties" in Carolina: Albemarle,

England, . . . we do grant unto [the Lords Proprietors] full and free license, liberty and authority, by such legal ways and means as they shall think fit and give and grant unto such persons complete religious freedom."

embracing the Chowan River-Albemarle Sound region in the northeast; Clarendon, to the south of Albemarle and including the Cape Fear Valley; and Craven, covering the area south of Cape Romaine (the present South Carolina).⁵

The early years of Carolina, especially of Albemarle and Clarendon, were marked by discontent, confusion, ineffective government, and even open rebellion. Some of the trouble resulted from control by a proprietary board, holding meetings irregularly and following a vacillating policy. Several of the proprietors, and Ashley-Cooper in particular, were interested in governmental experiments; plan after plan was tried and then abandoned for some other new scheme, with the result that "the inhabitants could not be sure that their government was really stable." Soon after the charter was issued, the proprietors opened negotiations with some New England "adventurers" and a group of Barbadians. A petition from the latter, coupled with the proprietors' desire to promote settlement, led in 1663 to the "Declaration and Proposals to All that will Plant in Carolina." This extremely liberal document, called "the first organic law of Carolina," provided that the governor be appointed by the proprietors, but "on nomination by the local freeholders." The assembly, to be elected by the freeholders without property qualifications, was to hold annual sessions. Its extensive powers included the right to determine the time and place of meeting, pass all laws, establish courts and determine their jurisdiction, levy taxes, fix salaries and fees, control the granting of land on the basis of headrights, erect forts, and build towns. It has been said: "To the governor and other officials . . . was left only the task of carrying into execution the commands of the legislature."

The Fundamental Constitutions. But the Declaration and Proposals were replaced in 1669 by a reactionary plan embodied in the Fundamental Constitutions of Carolina, "drafted for the most part" by John Locke at the request of Lord Ashley.⁶ This document, consisting of 120 paragraphs, was designed for the better settlement of the Government of the said Place, and establishing the Interest of the Lords Proprietors with Equality, and without Confusion, and that the Government of this Province may be most agreeable to the Monarchy under which we live, and of which this Province is a part; and that we may avoid erecting a numerous Democracy.

The Fundamental Constitutions or "Grand Model" provided for a feudal system in which Carolina would be divided into three large counties, each sub-

⁵ Perhaps the best of many "promotion tracts" written for the Carolina proprietors was published in London in 1666. Entitled *A Brief Description of Carolina, on the Coasts of Florida*, the author, supposedly Robert Horne, gave a good description of the Carolina region, particularly Cape Fear, and enumerated the "chief of the Privileges" that would be accorded the settlers.

⁶ Locke, who later became a famous philosopher, was Ashley's protégé and served for a time as secretary to the proprietors of Carolina. H. F. Russell Smith, in *Harrington and His Oceana*, questions Locke's authorship of this document, concluding that the Fundamental Constitutions were largely drawn from Harrington's book, published in 1656.

divided into eight seignories, eight baronies, and four precincts. In turn, each precinct would be divided into manors, ranging in size from three thousand to twelve thousand acres. The proprietors and the nobility—with such curious titles as palatine, landgrave, and cacique—were to hold two thirds of the colony's land, with the remainder available to settlers. The manors would be worked by "leet men" who were to have no "liberty to go off from the land of their particular lord and live anywhere else, without license obtained from their said Lord." Upon marriage, the lord was to give the leet man or leet woman "ten acres of land for their lives," but "all the children of leet men, shall be leet men, and so to all generations." Masters were also given absolute authority over their slaves.

Government would be in the hands of the proprietors, whose meetings were to be presided over by the eldest, known as the Palatine. A "Parliament," consisting of the proprietors, the nobility, and popular representatives, would be established. This document contained some liberal features, such as provision for registration of births, marriages, and deaths, registration of land titles, trial by jury, and religious toleration. But the whole plan was so cumbersome and complex that it had to be modified. It was revised at least four times, and, after thirty years of confusion and disorder, was finally abandoned, despite the fact that the original document was supposedly "unalterable" and "perpetual."

Actually, only some parts of the Fundamental Constitutions were put into practice. The Palatine Court became a reality and played a disturbing role in the life of the colony. South Carolina had twenty-six landgraves and thirteen caciques, and North Carolina had at least two landgraves. But the real administration of Carolina consisted of the governments of the three projected counties of Albemarle, Clarendon, and Craven, each of which followed a different line drawn to meet its peculiar needs.

The Short-Lived County of Clarendon. Even before Clarendon County was formed, a small group of "adventurers" from New England and several hundred Barbadians had located along the Cape Fear River. In 1663 William Hilton of Barbados explored this region and gave it a favorable report. As a result, the following January, Sir John Yeamans, landowner and trader in that West Indian island, was commissioned governor of Clarendon. In 1665 he granted the inhabitants a liberal form of government under the proprietary "Concessions and Agreements," markedly similar to the earlier "Declaration" for all of Carolina. The governor also brought in more Barbadians and, according to his report, "prospects were good." But he was too optimistic, for within a short time the settlement had trouble. Immigrants were shipwrecked near the mouth of the river; there was friction between the original settlers and the "newcomers," and between the New Englanders and the Barbadians; there was Indian hostility; and, even more important, there were glowing reports about the more attractive Port Royal region to the south. Consequently, in 1667 Yeamans abandoned the colony, the proprietors closed the land office and refused to make any more grants, and the settlers—an estimated eight hundred—moved to Albemarle, to

Virginia, to New England, and to Barbados. It is also quite probable that many of them later settled in what is now South Carolina.

The Development of Albemarle County. After the failure of Clarendon County, the only organized government in the North Carolina region until 1689 was Albemarle, "the cradle of North Carolina." It was settled earlier than the other two counties and was the first to have an established government. The motives for its settlement—and for settling all of Carolina, for that matter—were almost wholly economic. The proprietors stressed the possibilities of new products, such as wine, silk, raisins, currants, figs, and olives, "all of which are easier produced than sugar and none yet planted in the king's dominions." They also advertised the "fair and spacious Province," with its fertile soil "freed from the inconstancy of the weather," and offered one hundred acres of land to each freeman. These offers were implemented in 1669 by the legislature of Albemarle, which passed at least five laws designed to encourage immigration, especially from Virginia: a one-year tax exemption to all "new commers," a five-year stay "on any debt or other cause of action" outside the colony, a measure confining Indian trade to bona fide inhabitants, a law making marriage a civil contract, and a law restricting land speculation by prohibiting the holding of more than 660 acres in any one tract.

Albemarle also offered other opportunities to the discontented population of Virginia: purchase of cheap lands, raising of livestock, production of tobacco, and acquisition of wealth. That many were lured by these prospects, though not in the numbers anticipated, is indicated by a report of the Council of Virginia:

[The] chief cause of this removal is want of land to plant and cultivate [in Virginia]; this has occasioned many families of old Inhabitants whose former plantations are worn out as well as great numbers of young people and servants just free to seek for settlements in the province of North Carolina where land is to be had on much easier terms than here.

Also contributing to the migration was the dissatisfaction of Virginians with the arbitrary governorship of William Berkeley.

In October 1664 Governor Berkeley, who was also a Carolina proprietor, acted on orders of the proprietary board by commissioning William Drummond as Albemarle's "governor and commander-in-chief." The first legislature convened the next year, though tradition has it that the freeholders held a session in 1664. The general type of government and the rights of the people were similar to those of Clarendon under the Concessions and Agreements.

The history of Albemarle is nevertheless one of unrest, confusion, disorder, slow growth, and even armed rebellion. There were many reasons for these troubles: geographic factors, uncertainty of land titles, high quitrents, difficulties in marketing tobacco, inefficient—even dishonest—government, boundary disputes with Virginia, and the greater attractiveness of other colonies.

Albemarle was an isolated settlement, largely out of touch with the outside world. It was located in a region that lacked good commercial facilities because

of shifting sand bars, shallow inlets, and absence of good harbors and navigable inland rivers. Communication by land was almost impossible except with Virginia, and even this was difficult because of forests, swamps, and rivers that made travel a "jungle experience." Albemarle waters admitted vessels of only light draft, and the other Carolina settlement on the Ashley-Cooper rivers was so far away as to be almost completely out of the picture. The proprietors, unhappy about the slow growth of Albemarle—for which they were partly responsible—expended more thought, time, and money on the South Carolina settlement. They blamed the residents of Albemarle for their failure to expand southward and complained to the Albemarle legislature about its "people that neither understand your own nor regarded our Interests."

Perhaps the chief cause for the slow growth of Albemarle was the proprietary land policy. Land was the chief form of wealth here as elsewhere, and its ownership was a major concern to settlers. Hence, the proprietors' policy should have been certain and liberal; it was neither. The amount and terms of land grants varied from time to time, but in general, fifty acres were allotted to each settler, subject to an annual quitrent of one-half penny in specie per acre. A similar holding in Virginia paid only half that amount. The first legislature in Albemarle petitioned the proprietors "that the inhabitants of the said county may hold their lands upon the same terms and conditions that the inhabitants of Virginia hold theirs." Although the proprietors issued the Great Deed of Grant in 1668, which stated that quitrents would never be higher than in Virginia, they failed to carry out their promise. The next year the Fundamental Constitutions required the rent to be "as much fine silver" as in one penny; in 1670 the governor was instructed to fix it at one-half penny "lawful English money"; and nine years later at a penny an acre. The rumor—but it was only a rumor—was widely circulated that the proprietors planned to "raise the Quitrent to two pence and from two pence to six pence an acre."

The proprietors and their governors also failed to give adequate titles to land. They neglected to issue patents, without which the settlers were little more than "squatters." Timothy Biggs, a deputy customs collector, wrote to the proprietors in 1678 that this neglect "is matter of great discouragement for men of Estate to come amongst us because those already seated there have no assurance of their enjoyment." Although the proprietors complained about Albemarle's slow growth, they were partly, if not largely, responsible.

Another obstacle was the hostility of Virginia, Albemarle's competitor in tobacco production. Tobacco was the county's chief money crop, but the planters shipped most of it through Virginia's ports. In 1679 a British customs official reported that:

The quantity of Tobacco that groweth in Carolina is considerable & Increaseth every year but it will not appear by the Customhouse booke what customes have been received in England for the same for that by reason of the badness of the harbours in those parts most of the Tobaccos of the growth of those Countreys have been and are carried from thence in sloops and small ketches to Virginia & New England although the Tobacco be of the growth of Carolina & Albemarle.

A depression in the market after 1665 led to unsuccessful cooperative efforts at acreage reduction in Virginia, Maryland, and Albemarle, climaxed by the "night riders" and the "plant-cutting rebellion" in Virginia. Some Virginia planters blamed the falling prices of their money crop on the opening of tobacco fields in neighboring Albemarle, and the Virginia legislature passed a law in 1679 prohibiting the shipment of Albemarle tobacco through Virginia ports.⁷ This action led to a reduction of Albemarle's production, dependence on New England carriers, and, most important, higher prices for imported articles. The proprietors were disturbed by this turn of events and complained about the New England monopoly of Albemarle's trade:

itt beinge a certaine Beggary to our people of Albemarle if they shall buy goods at 2d hand and soe much dearer than they may be supply'd from England and with all sell there Tobacco and other Commodities at a lower rate than they could do in England.

Albemarle's Governmental Problems. The failure of the proprietors to establish a strong, stable, and efficient government was another great handicap. The charter had conferred ample powers, but the uncertainty in their exercise and the lack of a permanent frame of government caused confusion and disorder. The people blamed the proprietors, and the proprietors blamed the people. Perhaps no colony suffered as much from bad, weak, selfish, and even dishonest governors as did Albemarle. Many of them were mere place-hunters with no real interest in the colony's welfare. The proprietors had to admit it was "a very difficult matter to gitt a man of worth and trust" to accept the post. This situation was partially due to the individualism of the inhabitants, their scattered settlements, and their opposition to taxes, trade restrictions, and customs duties. Factionalism in government was also prevalent, and many governors were partisan leaders, even participating in riots and rebellions. One governor fled the colony, leaving it "in ill order & worse hands"; another was deposed by a rival faction; a third was removed and jailed by "armed rebels"; a fourth was forbidden to enter the colony; and a fifth, Seth Sothel, a proprietor and the last governor of Albemarle County, was accused of thirteen different crimes, tried, convicted, and banished "for ever" by the Assembly.

Proprietary neglect was shown in other respects as well. The colony was left to shift largely for itself. The proprietors sent no settlers, furnished no provisions or other supplies, and invested little or no money in Albemarle. Certainly, after 1670 the Ashley River settlement (South Carolina) received their major interest and expenditures. The Albemarle resentment of this attitude is well reflected in a letter of 1678 from Timothy Biggs to the lords proprietors:

That notwithstanding you have not beene out as yet any thing upon that County in ye Province called Albemarle yet ye inhabitants have lived and gott Estates under yr Lordships there by their owne Industry and brought it to the capacity of a hopefull Settlement and ere these had it had your Lordships smiles & assistance but a tenth part

⁷ This law was re-enacted in 1705, and again in 1726, but it finally received royal disallowance in 1731.

of what your Southern parts have had It would have been a Flourishing Settlement. But People having no assurance of their Landes . . . is matter of great discouragement for men of Estate to come amongst us because those already seated there have no assurance of their enjoyment.

The most serious and dramatic illustration of the weakness of government were Culpeper's Rebellion of 1677-1678 and the expulsion of Governor Sothel.⁸ The banishment of Proprietor-Governor Sothel in 1689 was followed by the appointment of Philip Ludwell as governor of "that part of Carolina that lies North and East of Cape Fear." This action marked the practical end of Albemarle County as a unit of government and the real beginning of North Carolina as a separate colony. Two years later Ludwell was commissioned "Governor of Carolina," with authority to appoint a deputy for North Carolina. In 1694 John Archdale, a proprietor and also governor, was empowered to appoint deputies "both in South and North Carolina." Henceforth, the two regions were governed separately, though it was not until 1712 that Edward Hyde was named governor of North Carolina "independent of the Governour of Carolina."

The People of North Carolina. North Carolina in the seventeenth century was populated primarily from Virginia and to a lesser degree from New England and Barbados, rather than directly from England. Dissatisfaction with local conditions, such as arbitrary rule, poor and depleted soil, lack of protection from Indians, and enforcement of trade laws, played a prominent role in the migration. Most of the early North Carolinians were of the lower middle class. They earned their living on small farms, with tobacco as the major crop. Consequently, they were almost always at the mercy of price fluctuations, as well as major competition from neighboring Virginia. Farm labor was performed by members of the family; slavery and indentured servitude were not as prevalent as in Virginia or Maryland.

Towns of any size were not to be found for the first half-century of North Carolina's existence.⁹ The resulting isolation had important effects on the colony's development. It helped to promote a certain rugged individualism among the people, who resented almost any type of interference with their way of life. One indication was Culpeper's Rebellion, one of the first uprisings in American history against repressive rule. Another effect was cultural; schools were virtually nonexistent in the seventeenth century. Then, too, the inhabitants worshipped as they pleased, and their worship was generally not in accord with the Church of England. Neither the king nor the proprietors attempted to correct this lapse. Possibly this toleration was meant to encourage population increases; an established church would be a hindrance. Possibly there was the feeling that because North Carolina was so isolated, any nonconformist views could not affect either the mother country or other English colonies.

⁸ See p. 216.

⁹ Almost every other colony began with the settlement of a town—Jamestown, St. Mary's, Plymouth, New Amsterdam, Philadelphia, Charles Town, and others. The first town in North Carolina, Bath, was not founded until after 1700.

By the close of the century only about three thousand settlers were in the colony, spread over a wide area extending from the Virginia line southward to the Neuse River and inland as far as fifty miles.

The Evolution of South Carolina. The region that became North Carolina was settled in a haphazard way, in large part by discontented Virginians, and was neglected by the proprietors. What became South Carolina, on the other hand, was the result of careful planning and systematic supervision. Every "effort was made by the proprietors to anticipate the course of development [of South Carolina], and guide it in certain definite lines."

The primary reasons that the proprietors expended time, thought, and money on the southern part were the presence of a good harbor, the proximity to Barbados, the Bahamas, and other islands in the West Indies, and the adaptability of the region to commodities not grown in England or in other mainland colonies, such as wine, silk, rice, olive oil, and indigo. Perhaps the desire to create a "buffer colony" against Spanish Florida was another motive, though little was said about it at first.

Proprietary interest was evident as early as 1665, when Sir John Yeamans was commissioned governor of Clarendon County and the region north of Florida. His ill-fated settlement on Cape Fear has already been discussed. The next year Robert Sandford visited the site of present Charleston Harbor and Port Royal. His glowing report, followed by the abandonment of the Clarendon Colony in 1667, caused the proprietors to shift their interest to the Port Royal region. In order to obtain further information, the proprietors sent William Sayle, who reported the feasibility of a settlement there.

Plans were then made to bring settlers from England, Ireland, Barbados, and the Bahamas, for which each proprietor contributed £500. Three ships were purchased at a cost of £3,200, as well as provisions for two hundred men. The expedition sailed from London in August 1669, but storms during the crossing wrecked two of the ships, and only the *Carolina* reached its destination the following March. Instead of remaining at Port Royal, the prospective settlers located at Albemarle Point (Old Charles Town), at the mouth of the Ashley River. The disadvantages of this site were soon evident: the place was low and unhealthy and exposed to easy attack.

Typical of the careful proprietary supervision were the orders received in 1672: remove to a new location at the junction of the Ashley and Cooper rivers, lay out "Charles-Town" as a port of entry, follow proprietary instructions about laying out streets and locating houses, public buildings, and offices, and hold elections for a general assembly. It was not until 1680, however, that the settlers moved to what is now Charleston, which became the political, economic, and cultural center of the province.

The Struggle over the Fundamental Constitutions. North Carolina solved the problem of the Fundamental Constitutions by generally ignoring them. In the Charles Town settlement, however, the "Grand Model" was sent out with



A view of Charles Town, South Carolina, in 1739. (From the Stokes Collection, Courtesy of the New York Public Library)

the colony, to become effective as soon as practicable—which meant upon the appointment of landgraves and caciques and the division of the province into seignories and baronies. Meantime, a temporary plan of government was put into effect, with a governor, a council of five deputies and five elective members, and a Parliament of twenty elected representatives. As there were fewer than twenty freeholders at the time, the governor and council were the actual rulers.

The proprietors, not satisfied with this arrangement, instructed all officials and grantees of land to take an oath to obey the Fundamental Constitutions. Therefore, parts of this complex and cumbersome system became effective, chiefly those relating to land grants. In 1685 the proprietors ordered that no member of Parliament take his seat until he had subscribed to this frame of government. Twelve of the members were expelled when they refused. This controversy reached a climax under Governor James Colleton (1686–1690), brother of the proprietor. The arbitrary, bold, and stubborn governor was determined to enforce the document, but the legislative representatives refused to follow his wishes. They denied the council's right to initiate laws and demanded government according to the charter of 1663, with which the Constitutions were not consistent. The proprietors then ordered that Parliament be dissolved and that all laws be rescinded. By 1690, therefore, not a single statute was in force.

Colleton now attempted to govern without Parliament, and executive decrees were substituted for laws. The governor tried to collect quitrents illegally; he forbade trade with the Indians, seeking to monopolize it for himself; he fined and imprisoned his opponents without trial; and finally, he placed the colony under martial law. A popular revolt followed in 1690. Just at this juncture Seth

Sothel, who had been banished from Albemarle for the same kind of arbitrary actions of which Colleton was guilty, arrived at Charles Town. As a proprietor of Carolina, he assumed the governorship with the support of the popular party. Immediately he summoned Parliament, banished Colleton, and received recognition from the other proprietors. Within a short time, however, Sothel violated his instructions and was recalled to England. In 1692, therefore, Philip Ludwell became governor. The assembly that he called drew up a list of grievances and recommendations, the most important of which were that courts should be regulated by law, not by proprietary orders; that the assembly, not the proprietors, should determine the number of representatives; that the council must not put into effect measures that the assembly had not passed; that martial law was illegal; that there should be larger popular representation on the council; and that assembly acts should be effective without waiting for proprietary approval. The essence of all these recommendations was greater popular participation in government, a stand that met with Ludwell's approval.

The proprietors finally realized the impossibility of enforcing the Fundamental Constitutions, and admitted as much to Ludwell. This was a victory for the people, who insisted on fulfillment of the charter provision that the proprietors had power to legislate only "by and with the advice, assent and approbation of the freemen" in assembly. Hence, that body must approve the Fundamental Constitutions to give them legality. The real question had been posed by the proprietors to Governor Joseph Morton in 1685: "Are you to govern the people, or the people you?" The answer, as a result of these events, was that "the people" would govern. Therefore, the proprietary instructions to Ludwell to make the government "suitable to our Charter from the Crowne," though not advising immediate abandonment of the Fundamental Constitutions, foreshadowed such a result.

The Growth of South Carolina. Despite these internal political disturbances, South Carolina grew more rapidly than did North Carolina. It had greater commercial advantages and soon developed an extensive trade with the West Indies, the other mainland colonies, and England. Among its leading exports were rice, naval stores, skins and furs, lumber, beef, pork, and Indian slaves. Its chief imports were rum, sugar, molasses, and Negro slaves from the West Indies, and various types of manufactures from England. Samuel Wilson wrote in 1682:

At this town [Charles Town], in November, 1682, There Rode at one time sixteen Sail of Vessels (some of which were upwards of 200 Tons) that come from divers parts of the King's Dominions to trade there, which great concourse of shipping, will undoubtedly in a short time make it a considerable Town.

Another reason for its rapid growth was the aid and support of the proprietors. For a few years they were discouraged, and complained in 1675 that they had expended £10,000 without any returns "but the charge of 5 or 600 persons who expect to live on us." The population increase was relatively slow before

1680. Then the influx of settlers to Charles Town from England, the West Indies, New York, and France resulted in an estimated six thousand people by 1700. This population was less homogeneous than that of any other English colony except New York and Pennsylvania. Huguenots settled in and near Charles Town, Scots located at Stuart's Town near Port Royal, and from the beginning large numbers from the overcrowded island of Barbados, and some from Bermuda, migrated to the colony. Hence, South Carolina has been called "sort of a westward movement from the British West Indies." More than any other colony, it was influenced by the economic and social ideals of West Indian planters. This is seen particularly in the strict slave code it developed, based largely on that of the West Indies. This was in striking contrast with the situation in both Virginia and North Carolina. John Oldmixon, writing in 1708, said:

Charles Town, the Capital of this Province, is built on a Neck of Land between Ashley and Cooper Rivers. . . . [It] is a Market Town, and thither the whole product of the Province is brought for Sale. Neither is its trade inconsiderable; for it deals near 100 Miles into the Continent. . . . Its situation is very inviting, and the Country about it agreeable and fruitful: The High-ways are extremely delightful, especially that call'd Broad-way. There are several fair Streets in the Town, and some very remarkable Buildings. . . . As for publick Edifices, the Church is most remarkable: 'Tis large and stately enough. . . . This is dedicated to St. Philip. . . . There's a Publick Library in this Town [founded 1698], and a Free-School has long been talk'd of: Whether founded, or not, we have not learned. . . . Not far off . . . is the Presbyterian Meeting-house. . . . We may see by this Description that the Town is full of Dissenters, and would flourish more, were not the Inhabitants uneasy under the Government there. . . . There are at least 250 Families in this Town, most of which are numerous, and many of them have 10 or 12 children in each; in the whole amounting to about 3,000 souls.

In general, the social level of the South Carolinians was higher than that of Albemarle. There was considerably more wealth in and around Charles Town, and individual landholdings were larger. Rice, not tobacco, was the money crop along the coast after 1700, and indigo became an important second in the low country after 1750. Charles Town, which contained as many people in 1700 as all of North Carolina, maintained constant communication with the various parts of the empire. Slavery, both Negro and Indian, was to be found from the very beginning. Though there were numerous dissenters, the Anglican Church played a prominent part, much more so than in the northern area. As in North Carolina, however, there was little attention given to education in the seventeenth century.

The Carolina Frontier. The settlement of Carolina filled in the vast region between Virginia and Spanish Florida. The Carolina grant, especially under the terms of the 1665 charter, overlapped the Spanish claims in the south and those of the French in the Mississippi Valley. Additional motives in settling the colony —though not greatly publicized—were the wish to check Spanish and French expansion and to reap the rewards of trade, particularly in deerskins. Thus,

Carolina, and especially the southern portion, became a buffer colony, where "English and Spanish America marched upon each other." The whole region, and again particularly South Carolina, was constantly exposed to a threefold danger: attacks by French and Spanish ships along the coast, attacks by Spaniards and Indians on the south, and raids by French and Indians on the west. Between 1670 and the end of the century there were numerous raids on the coast, one of which resulted in the complete destruction of Stuart's Town in 1686. Such were not isolated events, but the first phase in the long struggle among England, Spain, and France for possession of North America.

The significance of Carolina, therefore, was that it pushed the English southern frontier into Florida and extended the Anglo-French frontier to give England its first grip on the southern Mississippi Valley. But this struggle belongs to the history of the eighteenth century and thus to a later chapter.

11

ANGLO-DUTCH RIVALRY ON THE HUDSON

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Of much greater importance to England than the extension of the frontier southward was the occupation of the region from the Hudson to the Delaware. While England was colonizing the remainder of the Atlantic coast, the Netherlands, possessing the largest merchant marine in the world and a people noted for their thrift, energy, and skill, was laying the foundation for a vast and valuable overseas empire. Although originally interested in Far Eastern trade, the Dutch soon extended their activities to the New World. The center of interest was the Hudson-Delaware region, which was of great strategic importance. Its possession by the Dutch formed a wedge between the English colonies in New England and those on the Chesapeake. This area contained two of the greatest waterways in eastern North America. The Hudson led to the Mohawk Valley, the "gateway to the west," the home of the most powerful Indian confederacy in America—the Iroquois—and the center of the largest potential fur trade south of Canada; the Delaware provided an important means of ingress to present Delaware, New Jersey, and Pennsylvania.

Basis of English and Dutch Claims. Both English and Dutch had valid claims to this valuable region, and each refused to recognize the title of the other. The English based their claim to all the territory between the thirty-fourth and forty-fifth parallels on Cabot's discovery of 1497–1498, the charter of the Virginia Company in 1606, John Smith's voyage to New England in 1614, the grant to the Council for New England in 1620, the Massachusetts charter of 1629, and the Connecticut charter of 1663. The Dutch claims resulted from the discovery by Henry Hudson in 1609, the voyages of Adriaen Block and Cornelis May in 1612–1614, the charter of the United Netherlands Company in 1614, and the establishment in the same year of a trading post at Fort Nassau on the site of present Albany. The English considered the early Dutch settlements in New Netherland as mere trading communities on English territory by sufferance, not real occupation. The Dutch were viewed simply as poachers, and their claims were systematically disregarded.

The Discoveries of Henry Hudson. The Dutch, like the English, had organized a number of joint-stock companies to promote trade, especially in the Far East. The most powerful of these was the Dutch East India Company (1602). It confined its operations largely to the regions formerly controlled by Portugal, and had serious conflicts with her along the Cape of Good Hope route. In 1609 the company sent Henry Hudson, an Englishman previously employed by the English Muscovy Company, to find a passage around northern Europe to the Indies "in order to circumvent the Portuguese." Ice, cold, calms, and mutiny caused Hudson to change his mind. Therefore, he informed his employers that he intended sailing westward, to try to find either a passage through America near the fortieth parallel or a northwest passage around North America.

Hudson reached the Newfoundland-Penobscot region in July 1609, and then sailed south, possibly as far as Carolina. Turning northward again, he entered Delaware Bay in August, but quickly realized that it was not the entrance to a passage through America. Therefore, he continued his exploration, reaching in September the "great river of the mountains" that today bears his name, although for a long time it was called the North River. Hudson sailed up the river in his *Half-Moon*, fully convinced that it was the waterway that would lead him eventually to the Far East. When he reached the approximate site of present Albany, however, he realized he was nearing the source.

On his return to the sea, he explored both river banks carefully. His subsequent report to the Dutch East India Company told of the possibilities of excellent farming and fur trade. During the course of the Hudson River exploration, he wisely entertained some Iroquois chieftains in his cabin, where he "gave them much wine and aquavita, that they were all merrie. In the end one of them was drunke." This marked the beginning of the close friendship between the Dutch and the natives that proved so important in later history.

Hudson's discovery probably disappointed company officials,¹ but it surely excited interest among Dutch merchants, especially those who anticipated obtaining furs from the Indians "for the veriest baubles and coarsest goods," instead of from the Russians for exorbitant prices as in the past.

Just about the time of Hudson's voyage, the Twelve Years' Truce (1609-1621) with Spain was concluded, and it gave practical acknowledgment of Dutch independence. With the return of peace, after more than forty years of intermittent warfare, enterprising Dutchmen directed their energies to new fields of activity. Between 1610 and 1614 the East India Company sent out numerous expeditions for both trade and exploration. One of the most important was that of Adriaen Block, who reached Manhattan Island in 1613, discovered Hell Gate, and explored the lands along Long Island Sound, the Housatonic River, and the Connecticut River to the present site of Hartford. Block's map was the first indication that Manhattan and Long Island were not con-

¹ Hudson was soon dismissed, and he returned to England, where he found private backing for another quest for a northwest passage. He reached Hudson's Bay and James Bay in August 1610, but on the homeward voyage his mutinous crew set him adrift in June 1611, and he was never heard from again.

nected. In 1613–1614 Cornelis May sailed along the southern shore of Long Island, as well as the region around Delaware Bay as far as Capes May and Henlopen.

Dutch interest until 1621, however, was largely commercial. In 1614 some thirteen shipowners interested in developing trade in the New World formed the New or United Netherland Company, which received a trade monopoly for three years from the States-General. No powers over land or government were given this agency. In its haste to reap profits, the company established a trading post at Fort Nassau (Albany), where the Indians exchanged their supply of peltries for “glittering trinkets, knives, and various implements of which the Indians had not yet learned to use.”

Indian Relations. The fur trade brought the Dutch into contact with two of the most powerful Indian confederacies in the New World, the Algonquin and the Iroquois. The former, a loose union of widely scattered tribes, controlled the St. Lawrence Valley, the north shores of the Great Lakes, the upper Mississippi as far as the Ohio River, and the Hudson’s Bay region. Their domain was almost identical with that of New France. The Confederacy of the Five Nations (Mohawk, Oneida, Seneca, Onondaga, and Cayuga),² or the Iroquois, was a union of “civilization and power,” and controlled the south shores of Lakes Ontario, Erie, Champlain, and George and the Mohawk Valley. This region was practically identical with New Netherland and the later New York. The hostility between Algonquin and Iroquois is well known: “no enmity known to history was ever more deadly.”

The French made the first contact with the Algonquin when Champlain wintered along the St. Lawrence in 1608–1609. Quebec was founded at this time, and New France had its real beginning. As its basis for prosperity was the fur trade, the friendship of the Algonquin was essential because they dominated the greatest fur-bearing region in America. Accordingly, the French agreed to aid the Algonquin against their natural enemies, the Iroquois. If the Algonquin could conquer their opponents, the French would be assured of this economically valuable and strategic area. Champlain, largely ignorant of this situation, supported the Algonquin, who defeated the Iroquois in a series of battles culminating in the destruction of an Iroquois stronghold on Lake Ontario in 1613. These attacks were to have long-range results, as the Iroquois thereafter distrusted the French and usually fought against them.

On the other hand, the Dutch, starting with their English employee Henry Hudson, were friendly toward the Iroquois from the very beginning. They could therefore procure furs from the tribesmen for “firewater” and firearms, both of which were new to the Iroquois. This friendship, cemented by a formal treaty in 1618, closed a large part of the continent to the French, and the Iroquois became a buffer for the Dutch, and later the English, against the French. The

² The Tuscarora, after their defeat in North Carolina in 1713, rejoined their brethren in the north to make the Six Nations.

Iroquois therefore probably prevented French conquest of the Mohawk and Hudson valleys.

Beginnings of Dutch Colonization. The year 1618 witnessed both the treaty with the Iroquois and the expiration of the charter of the United Netherland Company. This organization, which had made no efforts to colonize, applied for a renewal of its charter, only to be refused by the States-General, whose concern was turning to settlement. Accordingly, a new and more powerful agency, the West India Company, was chartered in 1621. Although it was granted a twenty-four year trade monopoly over the west coast of Africa and all Dutch territory in the New World, it was likewise given extensive political authority. It could establish colonies in Africa and America and "advance the peopling of those fruitfull and unsettled parts." Within its jurisdiction it could appoint and remove officials, make laws, and administer justice. It had the power to make war and peace, as well as negotiate treaties with the natives. Nowhere in the charter did the words *New Netherland* appear.

Within the next few years the new company accepted stock subscriptions and issued licenses to a number of adventurers, who visited the Hudson-Delaware regions and traded with the Indians. England objected to these activities in 1621, protesting that the Dutch were trespassing. The States-General replied, however, that the West India Company was not allowed to establish a colony and would not interfere with English "planting."

Despite this denial, the council of the company permitted about five families to establish a settlement within the territory granted to it. The following year more ambitious plans were made for colonizing, starting with the Provisional Order of 1624. This order drew up the first plan of government, to be headed by a director-general named by the company with the approval of the States-General. Colonists were to be divided into two classes: the free colonists, whose transportation was paid, who obtained food, seeds, cattle, and other necessities of life during their first two years in America, and who could own their own homes; and the indentured servants, who must work on company farms or bouweries, or on those of company officials. Neither type of colonist was allowed to trade with outsiders, and the company was to have complete control of exports.

The first group to migrate under this arrangement consisted of some thirty families, mostly Walloons, who left Amsterdam in March 1624 under the first director-general, Cornelis May. They arrived in present New York Bay, where some families remained on Nut (now Governor's) Island and constructed a fort. Another group moved on to the Delaware River, where they established Fort Nassau (the present Gloucester City, New Jersey), and a third party of eighteen families went up the Hudson to erect Fort Orange—Fort Nassau had been destroyed—on the site of present Albany. Some historians have maintained that a few of this expedition may have settled on Manhattan Island at this time, with another element going across to Wallabout on Long Island.



New Amsterdam about 1628. (Courtesy of The New-York Historical Society, New York City)

The real beginning of New Netherland, however, grew out of the expedition that arrived in 1625, under the command of Willem Verhulst, the second director, who was accompanied by a council consisting principally of Dutch ship captains. Verhulst was not a competent head, and his poor management of affairs led to his dismissal in September 1626 and replacement by Peter Minuit, a Walloon. The new director had arrived the previous May, along with more settlers, who constructed about thirty homes on lower Manhattan Island and a fort at the southern tip, and around these began to grow the town of New Amsterdam.

Minuit received immediate instructions from home that were to be of the utmost importance:

In case there should be any Indians living on the aforesaid island of Manhattan or claiming any title to it, as also to other places that might serve our purpose, they must not be expelled with violence or threats, but be persuaded with kind words (to let us settle there), or otherwise should be given something for it to placate them or be allowed to live amongst us, and a contract should be made of such an agreement to be signed by them in their manner, which kind of contract may be very serviceable to the Company on other occasions.

As a result, he purchased Manhattan Island for sixty guilders (the proverbial twenty-four dollars) in trinkets. New Amsterdam was soon reinforced by Dutch from both the Delaware region and Fort Orange.

The Government of New Netherland. The chief characteristic of the government of New Netherland was the prominence and strength of its executive. The executive and judicial officers held the reins; in striking contrast with English colonies, there was no legislature during the Dutch period. Professor Osgood wrote:

Its government, in reality as well as in theory, was more autocratic than that of any other colony.... The official element was always strong in her governmental system, and until comparatively late it was not adequately counter-balanced by popular tendencies and forces.... This characteristic was... an inheritance from the period of Dutch rule.

Centralized control was in line with the commercial objectives of the colony. New Netherland, after all, was the possession of a trading company. Its chief resident official, the director-general or governor, although appointed and instructed by the Dutch West India Company, was commissioned by the States-General. Hence, he was virtually independent of the company. He was assisted by a small council—usually of five members—and subordinate officials dependent upon him. The director-general and council had all legislative, judicial, and administrative power: to make laws, levy taxes, try cases, and wage war. The people had absolutely no voice in these matters.

Dissatisfaction and discontent, especially among the English on Long Island, led to numerous demands for a liberal, if not representative, government. The need for men and money for the prosecution of the Indian War (1641–1645), which the settlers thought unnecessary, forced Director Willem Kieft to call a conference of heads of families. This meeting selected a board of Twelve Men to advise the executive. Among the reforms sought were popular representation and control of the council. Angered by these proposals, Kieft immediately dismissed the Twelve Men, but the desperate war situation compelled him to call another general meeting of the people in 1643. This conference elected Eight Men, who continued the quarrel, this time about taxation. Kieft again disregarded the popular protests by levying a tax on brewers the next year. When popular clamor against this claimed arbitrary action grew louder, Kieft replied: "In this country I am my own master and may do as I please; for I have my commission, not from the Company, but from the States-General." Whereupon Adriaen Van der Donck, one of the popular leaders, declared that Kieft "imagined himself, or would fain persuade others, that he was Sovereign, and that it was absolutely in his power to do or permit everything."

Under the original grant the people had the right to appeal to the States-General or to the company. The Eight Men, now speaking for them, appealed to the States-General against Kieft, charging him with sole responsibility for the Indian War. They declared:

Our fields lie fallow and waste; our dwellings and other buildings are burned; not a handful can be either planted or sown this autumn on the deserted places;... we have no means to provide necessities for wives or children; and we sit here amid thousands

of barbarians, from whom we find neither peace nor mercy.... Honoured Lords, this is what we have, in the sorrow of our hearts, to complain of; that one man who has been sent out, sworn and instructed by his lords and masters, to whom he is responsible, should dispose here of our lives and property according to his will and pleasure, in a manner so arbitrary that a king would not be suffered legally to do.

Therefore, they demanded his removal, as well as the right to elect both local officials and "deputies to vote on public affairs with the Director and Council." The States-General yielded to these requests only to the extent of replacing Kieft with Peter Stuyvesant.

The Administration of Peter Stuyvesant. In many respects the new governor was even more arbitrary. Appeals were made difficult, if not positively dangerous. When Cornelis Melyn threatened to take a case to the States-General against his ruling, Stuyvesant said, "If I knew, Melyn, that you would divulge our sentence or bring it before Their High Mightinesses, I would cause you to be hanged at once on the highest tree in New Netherland." On another occasion he declared, "It may during my administration be contemplated to appeal; but if any one should do it, I will make him a foot shorter, and send the pieces to Holland, and let him appeal that way." On the other hand, Stuyvesant also avowed, "I shall govern you as a father his children, for the advantage of the chartered West India Company, and these burghers, and this land."

Stuyvesant's chief problem was need of money. A church had to be built, the fort at New Amsterdam repaired, the company's trade rights enforced, and officials paid. The company was virtually bankrupt and the colonial treasury empty. Heavy taxation was necessary, but there was still so much popular discontent over company policies that the governor had to choose between popular consent to taxation and open rebellion. Accordingly, in the fall of 1647 he ordered a popular election of eighteen persons, from whom he selected Nine Men to advise him. But there was a deadlock on almost every issue, particularly the proposal to call a legislative assembly. Following Stuyvesant's refusal to do so, a house-to-house canvass was conducted, which so angered the governor that he imprisoned Van der Donck, spokesman of the Nine Men. They countered with a memorial to the States-General, requesting cancellation of the company charter, direct government by the States-General, and settlement of boundary disputes with neighboring colonies. This petition contrasted the government of New Netherland with that of the English provinces, where "neither patroons, nor lords, nor princes are known, but only the people." The States-General, however, would not listen, and the company and the director continued as in the past—with Stuyvesant if anything more arbitrary than before.

The next move for liberal government was inspired by English settlers on Long Island. With the outbreak of war between England and the Netherlands in 1652, a meeting was called to consider the defenses of New Amsterdam. This conference, attended by representatives from four Dutch and four English towns, was led by "an aggressive English settler of Gravesend." There was some talk about protection, but the chief discussion concerned "tyranny within,"



Peter Stuyvesant. (Courtesy of The New-York Historical Society, New York City)

culminating in a "Remonstrance and Petition" denouncing the arbitrary Dutch government:

"Tis contrary to the first intentions and principles of every well regulated government, that one or more men should arrogate to themselves the exclusive power to dispose, at will, of the life and property of any individual, and this by virtue or under pretense of a law or order he or they might enact, without the consent, knowledge or election of the whole Body, or its agents as representatives. [Such government is] odious to every freeborn man, and especially those whom God has placed in a free state on newly settled lands. . . .

In order to end such abuses, the conferees announced, "We humbly submit 'tis one of our privileges that our consent is necessarily required in the enactment of such laws and measures."

When Stuyvesant received this petition, he flew into immediate rage. His prompt answer was:

We derive our authority from God and the Company, not from a few ignorant subjects. If the nomination and election of magistrates were to be left to the populace, who were the most interested, then each would vote for one of his own stamp—the thief for a thief; the rogue, the tippler, the smuggler, for a brother in iniquity, that he might enjoy greater latitude in his vices and frauds.

The sudden end of the Anglo-Dutch War in 1654 and the company's support of Stuyvesant caused this reform movement to collapse. All efforts to obtain popular participation in government failed. But the fact remains that the Dutch settlers continued hostile to the company for its trade monopoly; the non-Dutch were indifferent as to what country owned New Netherland as long as they were

granted trade rights; and the influential English element on Long Island was friendly to England, largely because of the Dutch refusal to establish representative government.

Likewise contributing to Stuyvesant's unpopularity were his attempts to force his faith—the Dutch Reformed—upon the populace. This bigotry led to persecution of Baptists, Lutherans, and Quakers, who were fined and even banished for persisting in holding their religious services. Then, as a loyal agent of the Dutch West India Company, he tried to safeguard its interests by preventing smuggling and protecting its monopoly of the fur trade with the Indians. And to keep those Indians peaceful, he prohibited the lucrative sales the settlers were building up in rum and firearms to the natives. Stuyvesant also sought to end speculation in land, which he believed detrimental to the company cause. Actually, in putting this program into effect, he was not exceeding his authority or instructions. To the settlers, however, he was little more than a tyrant.

The Patroon System. Because the purpose of New Netherland was chiefly commercial, the early settlements were primarily trading posts, and the settlers not real colonists but servants of the West India Company. Although a sizable number of traders migrated to New Netherland, the company was disappointed at the paucity of farmers and other permanent settlers in a region so well adapted to agriculture. Conditions in Holland—peace, liberty, and plenty—were not conducive to large emigration.

Therefore, in 1629 company officials issued a "Charter of Privileges and Exemptions," designed to attract settlers to New Netherland. Each "patroon" was to be granted an estate on some navigable river, sixteen miles along one bank or eight miles along both, and extending "so far into the interior as the situation of the occupiers will permit," on condition that within four years he settle fifty people over fifteen years of age on his land and "extinguish the native right of occupancy." The patroon was to enjoy manorial powers and privileges, such as exclusive rights of hunting and fishing, but trade rights were reserved to the company. For the first eight years he was to be exempt from taxation. He was also authorized to hold manorial courts. The settlers were his tenants, bound to the estate for ten years, during the course of which they would pay no provincial taxes. On the patroonship the tenant was expected to clear and till the soil. He had to pay part of his crop as rental, and grind his grain in the patroon's mill. He could not weave, hunt, or fish, nor sell any produce or livestock without permission from his lord. Were he to die intestate, the patroon became his legal heir.

By 1630 five patroonships had been granted along the Hudson, Connecticut, and Delaware rivers. The only one that actually developed, however, was established near Fort Orange by Kiliaen van Rensselaer, a wealthy merchant of Amsterdam who dealt in diamonds and gold. Before his death in 1646 he acquired through purchase the vast estate of Rensselaerwyck, on which there were two hundred tenants.

But this system was no more successful than the manorial plan in Maryland,

a fact the West India Company recognized first in 1640, when the size of the patroonship was reduced, and then in 1646, when it prohibited any more such grants. By 1664 the company had gained back all but two of the patroonships. There were many reasons for the failure of this system: conflicts between tenants and patroons; between patroons and governing officials, especially the directors; a "sullen tenantry"; a "dissatisfied patroon"; "an impatient company"; and "a bewildered government." These were all contributing causes, but the real reason was the difficulty of establishing feudal institutions in a new country "dedicated by its very physical conditions to liberty and democracy." As the Earl of Bellomont, a later English governor of New York, put it: "What man will be such a fool as to become a base tenant . . . when for crossing Hudson's River that man can for a song purchase a good freehold in the Jersey's." All in all, the system contributed to the slow growth of New Netherland, yet it did provide the basis for the large estates along the Hudson that lasted well into the nineteenth century.

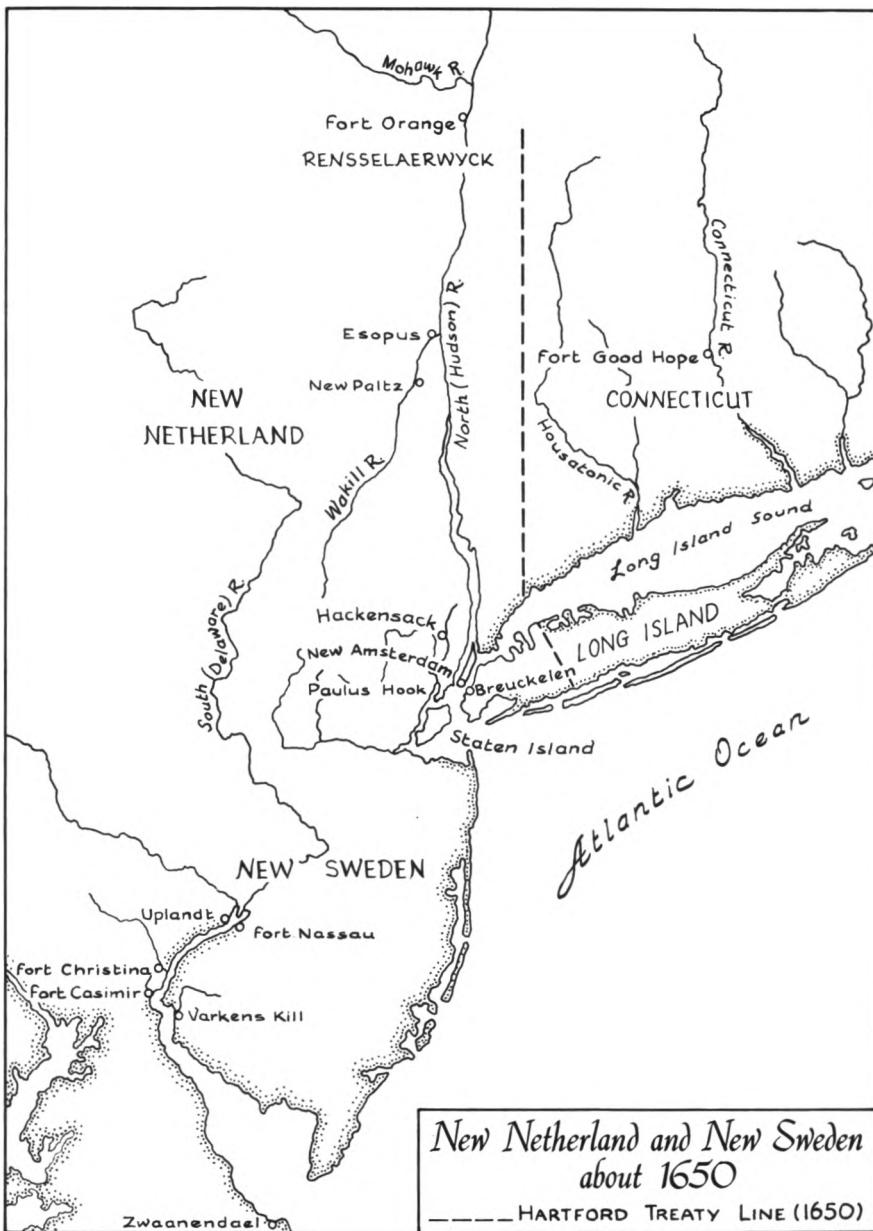
The Bouweries. On a smaller scale were the "bouweries," or farms, under the direct control of the company. Five of these bouweries were established on lower Manhattan for company use, each under the supervision of an overseer or "bouwmeister," who was paid with four horses and four cattle, plus tithes from the produce raised. The land was worked by indentured servants of the company, the "bouwlieden." No cattle could be slaughtered on these farms, and the horses could be requisitioned to transport wood. Four additional bouweries were turned over to the chief colonial officials.

Subsequently, free colonists who cleared land north of these bouweries were allowed to live on such farms and build their own homes. They could dispose of these holdings only to other free colonists. The company had the first option on their crops, which could not be sold in the open market. The company also was entitled to the first calf born, the owner kept the second, the company the third, and so on.

That trade and agriculture were not the only company interests was indicated by the desire to develop industry. Coopers, wainwrights, carpenters, and smiths were among the artisans transported to New Netherland by the West India Company.

Characteristics of New Netherland. Because trade was the major purpose of the company, success was reckoned in terms of dividends. The fur trade was of major importance, in comparison to the emphasis on gold and silver in Spanish colonies, or tobacco in Virginia and Maryland. A profitable fur trade required friendship with the Indians, and the company therefore established outposts, garrisons, and factories (trading posts), of which Fort Orange, New Amsterdam, and Fort Good Hope (or House of Hope) were the most important.

With emphasis on trade, not settlement, the colony grew but slowly. Its population in 1625 was only about two hundred; in 1646, only fifteen hundred, in contrast with New England's total of some twenty-five thousand. It became



obvious to the States-General, to the company,³ and to the people that a change of policy was necessary. Accordingly, in 1646, in addition to prohibiting new patroonships, the company threw the trade of New Netherland open to all settlers and promised absolute ownership of land for a small quitrent.

³ The Dutch West India Company had lost an estimated 550,000 guilders, over and above all receipts from New Netherland, by 1664.

These actions brought in more farmers, who gradually outnumbered the original traders. Trading posts grew into towns, and the colony began to prosper. By 1664 the population of New Amsterdam had reached sixteen hundred, and the entire colony number about ten thousand. There was a general air of wealth and a higher standard of living, as reflected in more pretentious homes and furnishings.

Unlike the seventeenth-century English colonies, this population was heterogeneous; in fact, even many of the promoters of New Netherland were not of Dutch origin. The chief reason is to be found in the purpose and character of the colony. The keynote of the Dutch West India Company was the acquisition of wealth, and its stock subscriptions were opened to foreign as well as Dutch investors. The charter provided that "all the inhabitants of these countries [United Netherlands], and also of other countries, . . . may be admitted into this Company." Hence, the company and the colony had an international character from the first. The prospect of trade and profits appealed to people of various nationalities and religious faiths. Of the earliest settlers, more than half were French-speaking Walloons from what is now Belgium, and a French missionary reported in 1643 that there were four hundred people in New Amsterdam and eighteen different languages. At that early date Manhattan Island "had already begun to exhibit the cosmopolitan character which has ever since distinguished it."

In addition, the mixed population represented virtually every faith and creed. An obvious result of this diversity of national stocks and religious creeds was lack of unity. From the first, certain elements, notably the English, objected to Dutch political institutions. And the indifference of the "foreign" element to Dutch national interests made New Netherland easy prey for English conquest in 1664.

The Conquest of New Sweden. Contributing to the heterogeneous population was the conquest of New Sweden. Sweden had grown into a real power in the opening years of the seventeenth century, largely through the ability of King Gustavus Adolphus. In addition to building up his country at home, he was interested in colonial expansion. An important figure in this was Willem Usselinx, one of the original promoters of the Dutch West India Company, who now made his home in Sweden. Another was Count Oxenstiern, who virtually ruled Sweden during the adolescence of Queen Christina.

Out of this interest grew the New Sweden Company, organized in 1637. The following year, under the leadership of Peter Minuit, formerly a director of New Netherland, a group of some fifty immigrants settled at Fort Christina—the site of present Wilmington, Delaware, about half a mile from the Delaware River. The adjacent territory was purchased from the Indians, with whom a flourishing fur trade was started by about a dozen trading posts. Five years after the original settlement, the capital of New Sweden was moved to about a mile from the mouth of the Schuylkill River, not far from present Philadelphia.

The colony grew very slowly. As the Swedes were not normally a colonizing people, the home government sent over a number of convicts, who were compelled to work out their sentences as servants of the company. Even so, by 1653 there were not more than 250 residents, most of whom were Finns. It was this group that introduced the log cabin into America.⁴ In the same year the Swedish government again came to the colony's rescue by transporting 350 settlers, many of them soldiers, under the leadership of John Rising. One of the first actions of the new arrivals was to capture the nearby Dutch outpost, Fort Casimir.

The Dutch in New Netherland had been angered by the founding of New Sweden, which, they asserted, was on Dutch territory. They based their claim on the voyages of Cornelis May, the establishment of the second Fort Nassau, and the abortive settlement of Swannendael—the present Lewes—near Cape Henlopen in 1631. Director Kieft had vehemently protested, but the Swedes paid no attention. The seizure of Fort Casimir accentuated the Dutch desire to drive out the trespassers, and Stuyvesant sent a strong fleet into the Delaware in September 1655. The undermanned and poorly defended Fort Christina was compelled to surrender, and that was the end of New Sweden.

Anglo-Dutch Relations. Despite England's claim to the vast and valuable region held by the Dutch, there was no real conflict for almost a half-century. The reasons are to be found in Europe. Traditional English hostility toward Spain led to sympathy for the Dutch in their war for independence (1566–1609). This was followed by the Twelve Years' Truce, but war between the Netherlands and Spain broke out again (1621) to broaden into the Anglo-Spanish War (1625–1630). Then, in the Treaty of Westphalia (1648) at the close of the Thirty Years' War, Dutch independence was fully recognized. During the Commonwealth period in England⁵ there was considerable sympathy between Dutch republicans and English Puritans, despite the Anglo-Dutch commercial war and the abortive English expedition against New Netherland in 1654. The two countries remained at peace for the next decade.

Meantime, there were boundary and commercial controversies between the respective colonies in America, provoked by numerous incidents. In 1632 a Dutch ship carrying five thousand beaver skins from New Netherland to Amsterdam sought refuge in Plymouth harbor, where it was seized on the charge of illicit trade in English territory. The States-General protested, saying the furs were taken in Dutch territory. The English denied this, but released the ship to avoid further complications. In 1634, on the other hand, an English vessel entered the Hudson River to trade with the Indians. Governor Wouter Van Twiller protested this invasion of Dutch possessions and confiscated the cargo.

But the Dutch took the most important step in 1633 when they built Fort

⁴ For an excellent discussion of this topic, see Harold R. Shurtliff, *The Log Cabin Myth* (1939), especially Chapter 7.

⁵ See pp. 127–129.

Good Hope on the Connecticut River. Massachusetts and Plymouth authorities protested, but to no avail.⁶ New England defied this Dutch intrusion in Connecticut, and the settlement of Windsor and Saybrook virtually isolated Fort Good Hope. A Dutch ship was sent to challenge Saybrook, but finding the English too strong, she returned to New Amsterdam. The founding of Hartford and Wethersfield and the subsequent union of the "river towns" in 1639 convinced the Dutch that further efforts to dislodge their opponents would be futile. New Englanders, on the other hand, had planted several towns on both shores of Long Island, including Southold, Easthampton, and Southampton. To the Dutch this represented English aggression.

New England rapidly outstripped New Netherland in population; in 1650 the former had some thirty thousand inhabitants, the latter only about two thousand, half of whom were English. This disparity convinced Governor Stuyvesant that diplomacy, not war, was the wiser course, and he went to Hartford to confer with commissioners of the New England Confederation. The resulting Treaty of Hartford in 1650 fixed the boundary between the two rivals: the English to the east, the Dutch to the west of a line drawn across Long Island southward from Oyster Bay; on the mainland, the English were never to settle within ten miles of the Hudson River.

The Dutch in New Netherland denounced the treaty. Van der Donck said that "All the arbitrators were English and they pulled the wool over the Director's eyes." Nevertheless, the States-General ratified the treaty, but England refused to do so because it would mean her recognition of Dutch title to New Netherland.

The Anglo-Dutch dispute finally came to a head over trade rather than boundaries, a direct result of England's Navigation Acts.⁷ The Navigation Act of 1651 was followed by the Anglo-Dutch War of 1652-1654, near the close of which an expedition was sent from England with instructions to pick up reinforcements in New England to attack New Netherland. Before the preparations were complete, however, peace was made between the mother countries, and the conquest had to await another decade.

The Restoration and the Dutch. The Restoration in England was an era of great colonial expansion, more unified colonial control, and mercantilism. The existence of New Netherland had a bearing on all three. Land grants in America were considered an opportunity for rebuilding English fortunes, and the extensive and valuable region held by the Dutch was a tempting morsel to English Royalists and their sovereign. Moreover, the efforts of Charles II and Parliament to establish more direct control over the colonies were handicapped by New Netherland. Alien in race, under foreign control, and having a strategic geographic location, the Dutch colony was an obstacle to overland communica-

⁶ See pp. 102-103.

⁷ See pp. 141-143.

tion between New England and the Chesapeake colonies. It likewise made more difficult defense against the French.

The Navigation Acts, particularly those of 1660 and 1663,⁸ were aimed primarily at the Dutch, but the existence of New Netherland made their enforcement almost impossible. Large quantities of Virginia tobacco were shipped to New Netherland in defiance of these measures, and thence to Holland; the same was true of New England products. Dutch vessels exported goods of other European countries directly to the English colonies. Smuggling by way of New Netherland was practiced on a large scale, and New England officials simply refused to enforce the acts against the Dutch.⁹ The seizure in 1655 of a Dutch ship in Boston harbor by royal officials brought protest from the Massachusetts General Court that such actions were "forbidden without the consent or allowance of authorities heere established," and the ship was released. Rhode Island proclaimed free trade with the Dutch in 1657 and 1658, and Connecticut did the same two years later. The resulting loss to the king's revenue through such illicit trade was estimated at £10,000 annually.

The Conquest of New Netherland. England finally concluded that armed force was the only solution. In 1663 the Council for Foreign Plantations discussed the whole problem of Dutch power and considered the feasibility of attacking New Netherland. English residents on Long Island, who complained about "their cruel and rapacious neighbors," reported in January 1664 that conquest would be easy.

Charles II acted swiftly. On March 12, 1664, he granted to his brother James, the Duke of York, all the region embraced by New Netherland, and more—the whole of Long Island, all the area from Delaware Bay to the Connecticut River, Maine, Martha's Vineyard, and even jurisdiction over New England itself. The king declared that New Netherland "did belong to England heretofore, but the Dutch by degrees drove our people out of it." Parliament approved the royal plans, and some members even asserted they were ready to "pawn their estates to maintain a war." On April 2 the king appointed Colonel Richard Nicolls as lieutenant-governor of the territory—still in Dutch hands—and three weeks later notified New England of his intentions.

In August 1664 Nicolls and an English fleet of four ships reached New Amsterdam. The commander immediately offered liberal terms of surrender: eighteen months for the inhabitants to decide whether to remain or not, a guarantee of all the rights of English subjects, liberty of conscience, trading rights, and continuance of Dutch customs and practices of inheritance. Stuyvesant answered that he would rather "be carried out dead" than surrender, but the people, angered by his earlier actions and convinced that they would not be

⁸ See pp. 141-143.

⁹ Despite bickerings between New Netherland and New England, salt and tobacco were carried in Dutch ships from Manhattan to Boston and Salem, and horses and oxen were brought over from Holland for use in New England.

worse off under English rule, refused to support him. Therefore, on August 26 New Amsterdam gave up, almost without firing a shot, and with it, shortly, all of New Netherland. The Anglo-Dutch War in Europe dragged on until 1667, when the Treaty of Breda confirmed the Dutch loss of her colony.¹⁰

This English conquest was an event of far-reaching importance. The acquisition of New Netherland gave the English control of the commercial and military center of the continent, brought under England a large non-English element, and filled in the gap between the Chesapeake and New England colonies to form a continuous English dominion from Canada to the Floridas. The resulting confrontation between the French and English along a frontier from the St. Lawrence to the Ohio made inevitable the struggle for supremacy.

English Rule in New York. The Duke of York made no effort to rule all of his huge grant of 1664. Instead, he gave a large portion to others and concentrated solely on the northern part, which was renamed New York in his honor. Colonel Nicolls, the first governor of this new English province, ably reconciled the diverse elements among the inhabitants. His fairness in carrying out the terms of surrender convinced the Dutch inhabitants that their rights were "better protected than ever before," and led them to praise his "gentleness, wisdom, and intelligence."

There was some dissatisfaction among the English settlers, who had expected a legislative assembly of some kind to be called immediately. But the new proprietor, and perhaps many English leaders, considered New York a conquered country, subject to the will of the conqueror. And James, a typical Stuart, was a believer in arbitrary government.

For Yorkshire, which included Long Island, Staten Island, and the present Westchester County, where the population was predominantly English, Nicolls prepared a code, called the "Duke's Laws." Based on English laws and those of Massachusetts and New Haven, this liberal code granted religious freedom, election of local officials without religious qualifications for the voters, and jury trial. When the rest of the province was sufficiently Anglicized, it received the benefits of this code. Though many of its provisions were more liberal than existing practices in England, the code was unsatisfactory to the English settlers because it did not provide for a representative law-making body.

The Struggle for Representative Government. New York was the only English colony without a representative assembly, and it remained under arbitrary rule until virtually the end of the century. But the people persisted in their struggle for a voice in their government. The most bitter issue was with taxation. In 1670 the towns of Long Island protested a levy for fortifications made without popular consent and refused to pay. Two years later they rejected the governor's request for voluntary contributions, and demanded "the privileges that other of his majesty's subjects in these parts have and do enjoy." In 1674 Gov-

¹⁰ A renewal of hostilities brought temporary reconquest of New Amsterdam in 1673, but it was returned to England the following year in the Treaty of Westminster.

ernor Edmund Andros was petitioned to allow deputies to sit with him and his council. The governor recommended favorable action, but the Duke of York refused to approve.

The next protest arose over customs duties. Those levied in 1674 were due to expire in 1680, and when Andros was recalled to England in the latter year, he neglected to renew them. The customs collector's demands for payment were denied; this was followed by general unrest, a decrease in revenue, and prospects of colonial bankruptcy. Again the Long Island towns petitioned for an assembly, and colonial officials urged proprietary compliance as the only means of raising the necessary funds.

The Duke of York finally yielded, but for another reason. The new governor was Thomas Dongan, a Catholic. In an effort to make him acceptable, the Duke authorized Dongan to call an assembly of eighteen members elected by the free-holders. Laws passed by this body were to become effective immediately, though they were subject to later approval by the proprietor. Thus on October 17, 1683, the first legislature met in English New York.

The Charter of Liberties and Privileges. This assembly passed fifteen measures, the most significant being the "Charter of Liberties and Privileges," which declared that "the supreme legislative authority shall forever be and reside in a governor, council, and the people met in a general assembly." Also, the principles of English law were instituted, among them free elections by freeholders and freedom of worship. In addition, "no aid, tax, custom, loan, benevolence or imposition whatsoever shall be levied within this province upon any pretense, but by the consent of the governor, council and representatives of the people in general assembly."

The Charter of Liberties was submitted to James for his approval. He gave it in October 1684, but by the time the document was returned to New York, Charles II had died, and James became king in February 1685. This changed the whole course of events. James as king had a different outlook from James as proprietor. Now he had to develop his brother's imperial policies, rather than concentrate solely on his own. This involved bringing all the colonies into closer dependence upon the crown. The first step was suppression of colonial legislatures and extension of royal authority. Therefore, in March 1685 he disallowed New York's Charter of Liberties, which he, as proprietor, had earlier approved. In Governor Dongan's commission of 1686 no mention was made of a representative assembly. Instead, all powers of legislation and taxation continued to be vested in the governor and his council. The stage was set for the inclusion of New York in the Dominion of New England.

The Treaty of Albany. Before we leave the history of New York, mention must be made of relations with the Iroquois. Dongan was most anxious to maintain the same friendship with that confederacy that the Dutch had enjoyed. In conjunction with Lord Howard, governor of Virginia, whose frontiers had been subject to attack by Indians under Iroquois control, Dongan called a con-

ference at Albany in the summer of 1684 to effect a solution. Out of this meeting came the Treaty of Albany (also called the Dongan Treaty), under which the Iroquois agreed to become subjects of the English monarch and to place the coat of arms of the Duke of York in all their fortified communities. This treaty proved of great importance to the English in their subsequent wars with the French, and helped to give the English in New York control over a wider area.

THE QUAKER COLONIES

* *

The Founding of Quakerism. For some years the Society of Friends, better known as Quakers, had been persecuted in England. The sect had been founded by George Fox, who was born in England in 1624 and grew to manhood during a period of civil and religious conflict. The son of a poor weaver, he had a limited education and was apprenticed to a shoemaker. Deeply religious, Fox failed to find solace in current faiths, yet was grieved at the lightness and carelessness of men's lives and the hollowness and hypocrisy of the world. His conscience was troubled by the conviction of sin. Thomas Babington Macaulay wrote that Fox was

a youth of pure morals and grave deportment, with a perverse temper, with the education of a laboring man, and an intellect in the most unhappy of all states.... At the time when his faculties were ripening, Presbyterians, Independents, Baptists were striving for mastery, and were, in every corner of the realm, refuting and reviling each other. He wandered from congregation to congregation; he heard priests harangue against Puritans: he heard Puritans harangue against priests; and he in vain applied for spiritual direction and consolation to doctors of both parties.

Fox concluded that religion was a matter of the spirit, not of the intellect. To him, God did not "dwell in temples made with the hands," but the Church of God was a "spiritual household." Therefore, the "inner light" came to all men alike, rich and poor, high and low, educated and ignorant. Religion must be an individual, personal, and inward matter; there was no place for elaborate rites, ceremonies, and priesthoods. Particularly obnoxious to him were payments of tithes, bearing of arms, and taking of oaths.

Fox began his preaching in 1649, when political and religious radicalism were widespread. Thousands flocked to hear this sensational man. By 1665 an estimated eighty thousand had been converted to membership in the Society of Friends. Their enemies called them Quakers, because they trembled (quaked) "at the word of the Lord."¹

Persecution of Quakers. Of all sects, Quakers were most brutally persecuted in seventeenth-century Europe and America. Their belief in the "inner spirit,"

¹ Another explanation is that Fox, called into court in 1650, said that the magistrate was "the first that called us Quakers, because I made him tremble (quake) at the word of the Lord."

their "extravagant and absurd conduct," their disturbance of public worship, their running naked through the streets crying curses on London, their refusal to pay tithes and taxes, their contempt of court by not removing their hats, their refusal to bear arms or take an oath of allegiance—these and other practices caused thousands of Quakers to be severely punished.

They were persecuted by both Puritans and Anglicans, and under both Cromwell and the Stuarts. Some three thousand were imprisoned during the Cromwellian regime. Under Charles II a law of 1662 forbade Quaker meetings and made refusal to take an oath punishable by fine, imprisonment, and eventual deportation. Quaker disregard of this statute resulted in the imprisonment of more than thirteen thousand and the deportation of about two hundred.

Today it may be wondered why members of this peace-loving sect were so harshly treated three centuries ago. The answer is that many Quakers were at that time obnoxious, troublemaking, half-demented zealots who went to any ends to gain their objectives. As one American author wrote in the eighteenth century, it was difficult to deal peaceably with a Quaker who stood up in church to interrupt a popular clergyman with the statement that he was a "Priest of Baal," or who called the minister "empty-headed" and accentuated this remark by breaking an empty bottle over his head, or who sensationaly "bore conclusive evidence of the fall of man up the broad aisle of the meeting house in a costume which that event put forever out of fashion." The question still remains, however, whether seventeenth-century Quakers were naturally cantankerous, or whether widespread persecutions made them that way.

Quakers in America. To escape persecution at home, many Quakers sought refuge in America. A few arrived as early as 1653, but the outbreak of persecutions in England after 1660 and particularly the passage of the Conventicle Acts of 1664 and 1670² caused a rapid exodus. They sought refuge in every colony, found welcome in none, and were subjected in most to fines, whipping, imprisonment, and even banishment. The severest persecutions occurred in the New England colonies, which forbade the presence of Quakers by law, except for Rhode Island, where Roger Williams tolerated them even though he disliked them. The penalty for bringing a member of that sect into Massachusetts was £100; for entertaining one, forty shillings. Four Quakers, one of them a woman, were hanged in the Bay Colony for persisting in returning after banishment. There was gradual reaction against such severity, and, partly as a result of a royal order in 1661, much of the persecution stopped. Nothing, however, could be done to make the average colonist like the Quakers.

That being the case, George Fox conceived the idea of a separate Quaker colony in America. He made inquiries about the purchase of land at the head of Chesapeake Bay, but the project did not materialize. Then he personally

² These measures made it illegal to attend any religious meetings except those of the Anglican faith. Punishment for the first and second offences was imprisonment; for the third, deportation. Were the culprit to return to England, he was subject to the death penalty.

visited the colonies in 1672, where he found many Friends, but they were "widely scattered and without unity . . . without political influence." Thereupon he redoubled his efforts, but he probably would not have been successful had it not been for the influence of William Penn and for the troublesome situation in the proprietary colony of New Jersey.

William Penn. William Penn, one of the foremost exponents of Quakerism, is a paradoxical figure. He has been lavishly praised and fiercely condemned. He was a curious combination: a religious zealot and a courtier in one of the most corrupt courts of Europe; a leader of the most extreme Protestant sect and an intimate friend of a most bigoted Catholic monarch; by birth a member of the highest social circles and by conviction a member of the most despised religious sect of his day; an idealist in politics and a shrewd businessman. Benjamin Franklin said that Penn united "the subtlety of the serpent with the innocence of the dove."

Penn was born in 1644, the son of Admiral William Penn, who distinguished himself in the service of the Commonwealth, participated in the expedition that seized Jamaica in 1655, and was active in the restoration of the Stuarts. The father was also a close personal friend of both Charles II and James, Duke of York, under whom he had served in the royal navy.

Young Penn, raised in intimate friendship with the Stuart princes, entered Oxford in 1660. His meeting with Thomas Loe, a Quaker preacher, led to his great interest in the Society of Friends. He was expelled from college, and his angry father sent him to Paris "to forget his folly." In 1666 he returned to London as a "modish youth," according to Samuel Pepys, and began to study law at Lincoln's Inn. But young Penn met Loe again, and shortly after announced his conversion to Quakerism, that "despised sect which was everywhere spoken against." He then published religious tracts; his *No Cross, No Crown* was one of the ablest defenses of Quaker doctrine.

In 1670 he was arrested under the Conventicle Act for attending unlawful meetings and for refusing to take off his hat in court. When he refused to pay the fine, he was sentenced to the Tower of London. The fine was paid anonymously, probably by his father, and young Penn was soon released. The father died the same year, leaving his son a legacy that yielded £1,500 annually and, what was more significant, a claim against the crown for £16,000. And Penn soon became just as eager as Fox to establish a Quaker colony in America.

The Establishment of New Jersey. The first opportunity to do so came as a result of problems arising in the colony of New Jersey. That province had its beginnings in the anticipated conquest of New Netherland. In June 1664 the Duke of York deeded part of the original Dutch territory to Sir George Carteret and Lord John Berkeley, calling the tract "Nova Caesarea," or New Jersey, in honor of Carteret's able governorship of the Channel island of Jersey. These two men were active in the new colonial policies of the Restoration. The region covered by the deed included the area from forty-one degrees north latitude to Cape May, and from the Atlantic to the Delaware River, conveyed "in as full

and ample manner as the same is granted to the said Duke of York." Although the grant conferred no governmental powers, the two proprietors claimed them. For many years, however, New York denied these claims and also objected to the alienation of what it considered the best part of the Dutch conquest. As a consequence, a long and bitter controversy developed between the two colonies.

There were a few settlements in New Jersey when the proprietors assumed jurisdiction. The Dutch were on the west bank of the Hudson, and Finns, Swedes, and Dutch along the Delaware. Governor Nicolls of New York, apparently ignorant of the grant, induced some Englishmen from Long Island to settle along the Passaic River.

To attract more inhabitants, the co-proprietors issued the "Concessions and Agreement" of February 1665. This liberal document offered generous land grants, liberty of conscience, and a representative assembly, annually elected, whose acts would be immediately effective, though subject to later proprietary approval. These inducements did stimulate a continuous influx of settlers, mainly Puritans from New England. As a result, Newark, Bergen, Middletown, and Elizabethtown were founded within a few years, under agreements patterned after the "plantation covenants." The Puritans believed in frequent town meetings, but as in many New England colonies, officeholding and suffrage were restricted to members of the Congregational Church.

Controversies, Confusion, and Disorder. For many reasons, the early history of New Jersey was one of confusion and controversy—among the proprietors, between proprietors and settlers, among the heterogeneous inhabitants themselves, and between the colony and other provinces. New York, in particular, claimed political jurisdiction over New Jersey because of the ambiguous wording of the charter, and attempted to enforce trade restrictions and collect customs duties for the Duke of York. Perhaps the most dramatic incident was the arrest of Governor Philip Carteret by Governor Andros. Various sales and transfers of proprietarial rights led to numerous disputes over land titles and prolonged litigation, further complicated by the efforts of the Duke of York to recover the whole province.

The disputes among the constantly changing proprietors involved taxes, quitrents, and the "Concessions and Agreement." The first legislature, meeting in 1668, was dominated by settlers from New England, who passed laws "of a distinctly Puritan caste." These measures, based largely on those of New Haven, were severely criticized by Governor Carteret and brought more discontent, confusion, and bad feeling. The "Nicolls colonists" also caused trouble when they refused to take an oath of allegiance to New Jersey or to pay taxes and quitrents. This situation culminated in the quitrent riots of 1670 and the "rebellion of 1672." An assembly, elected without the sanction of the governor, in turn refused to recognize Philip Carteret, and elected his brother, James, instead.

In 1674 Berkeley, tired of constant friction and disappointed by meager financial returns, sold his share to one Edward Byllynge, a London Quaker. This action marked the beginning of the division of the colony into East Jersey, still



owned by Carteret, and West Jersey, which soon came completely under Quaker control. Byllyngé eventually conveyed one tenth of his interest to John Fenwick, another Quaker. These two proprietors were in constant dispute over their respective rights, and the situation was further disturbed by financial difficulties.

Quakers in England, troubled by this chaotic situation, in 1676 appointed a committee of three, one being William Penn, to restore order and harmony. As a result, the committee members became trustees of West Jersey, and thus

Penn's interest in colonization in the New World began. Under this trusteeship West Jersey grew rapidly. English Quakers gave considerable support in many ways, financial and otherwise. The establishment of internal peace attracted more settlers, and new towns, notably Salem, were founded.

Carteret continued to have his troubles. True, in 1675 he agreed on a dividing line with West Jersey, and temporarily there were two separate and distinct governments. But the controversy with New York continued. When Andros was named governor of New York, his commission stated that his jurisdiction included New Jersey. Thereupon Carteret brought the issue to court, which decided in his favor, and the Duke of York halted his efforts to amalgamate East and West Jersey.

Yet, Carteret was not happy about his province, for he felt that the numerous difficulties were not worth the money he had expended. Finally, in 1682 he disposed of his rights for £3,400 to twelve Quakers—again Penn was involved—and these men eventually brought in as proprietors twelve more of their sect. It hardly needs saying that with twenty-four squabbling controllers, East Jersey was not efficiently managed. But at least Quakers were now in charge of both East and West Jersey.

Both Jerseys had a large number of towns: most of those in East Jersey were located on the Hackensack, Passaic, and Raritan rivers; many of those in West Jersey were on the Delaware River. Burlington, on the east side of that river a short distance above Philadelphia, was the largest town in West Jersey and was noted for its sawmills, bakeries, breweries, and household cloth industry. The town also had a large market house where several fairs were held annually. In the region to the east of Burlington and extending as far south as Salem were plantations whose surpluses of grain and other farm products made the province prosperous.

The mode of life in East Jersey was very different from that of its southern neighbor. New England had left its impress upon that region, and some of its towns, notably Newark, Middletown, and Shrewsbury, were "typical New England towns." For many years these towns insisted that they owned their land in fee simple and strongly resisted quitrent collections by the provincial proprietors. The grain and cattle produced were what made East Jersey worth quitrents and the efforts to collect them, because, as one settler wrote: "Here he can have Corn and Cattle and everything that is necessary for mans use, if he be Industrious; only the thing that is dearest here is Cloathing, for there are but few sheep to this Country." The sale of surplus cattle and grain enabled the people to purchase clothing and other necessities.

In contrast with West Jersey, most of the farms were small and were operated with free white labor. There were, however, some large estates, notably that of Lewis Morris, consisting of some three thousand acres, which was worked by indentured servants and Negro slaves.³

³ Included in a two-thousand acre estate of Morris east of the Harlem River was a farm formerly owned by Jonas Bronck; from this came the name of the Bronx, one of the five boroughs in modern New York City.

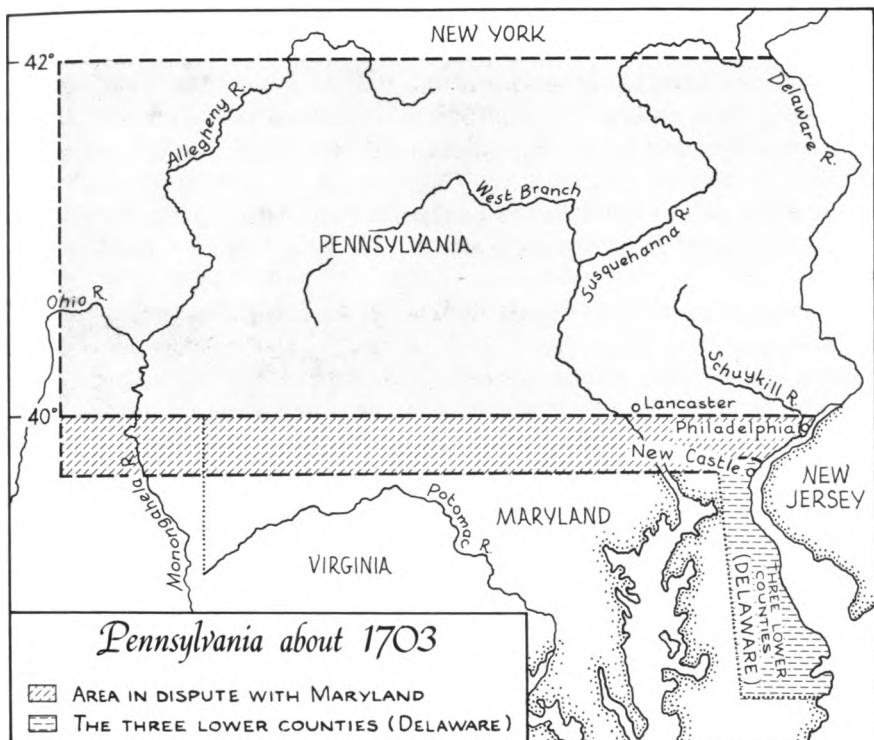
Elizabethtown, which had been the first seat of government in East Jersey, lacked the depth of water for large ships. Accordingly, the proprietors decided to build a port town at the mouth of the Raritan River. The result was the founding of Perth Amboy, where the proprietary officers took up their residence, where merchants and other businessmen carried on their pursuits, and where the assembly held its sessions after 1686. Though the new town became the capital of the province, it failed to become "a port of entry on a par with the port of New York" as some of its promoters had predicted.

The Chartering of Pennsylvania. Because of the many complicated problems that East and West Jersey faced, both internal and external, neither George Fox nor William Penn believed either colony could become the desired Quaker refuge in America. Penn in particular concluded that the only solution was a new and separate colony.

Consequently, in 1680 Penn petitioned Charles II for a proprietary grant between New York and Maryland in consideration of "the debts due to him and his father from the Crown." The monarch was in something of a quandry. He wanted to help his friend, and, by so doing, he could dispose of his financial obligation in a most reasonable fashion. On the other hand, it would be quite inconsistent to help a Quaker in America while he was persecuting members of that sect at home. In addition, the Lords of Trade were already at work on a plan for the consolidation and royalization of existing colonies, not for the establishment of new and possibly semi-independent proprietary ones. And Lord Baltimore, hearing of the possibility of a deed to Penn, strenuously objected it would infringe on his Maryland.

The prospect of financial savings and pressure from his brother, the Duke of York, who was also a close friend of the Quaker, swung Charles in favor of Penn's application, but only after he had consulted his attorney-general to determine its legality, and the Duke of York and Lord Baltimore to be sure that the proposed tract (whose limits Penn had suggested) did not conflict with either New York or Maryland. The original draft of the charter was drawn up by Penn on the model of Maryland, but it was revised before the king issued it on March 14, 1681. Penn wanted the colony to be named New Wales or possibly Sylvania; he opposed the king's suggestion that it be called Pennsylvania (or Penn's Woods) in honor of the admiral. As a Quaker, Penn thought it would savor too much of personal show. The king's suggestion was nevertheless followed.

The Pennsylvania charter of 1681, which made Penn "the true and absolute Proprietarie," contained the usual features concerning allegiance, trade, and powers of government. In contrast with other proprietary charters, however, there was no mention of rights similar to those of the Bishop of Durham; also, there was no specific mention of the "rights of Englishmen," an omission thought to be an oversight. More significantly, there were six notable differences resulting from the recent change in English colonial policy, which emphasized extension of royal control and enforcement of mercantilism. These were: (1)



the reservation of the right of disallowance; (2) the right of appeal from colonial courts to the Privy Council; (3) the obligation upon the proprietor to enforce the Navigation Acts and other trade laws; (4) the requirement that Penn maintain an agent in London; (5) the specific assertion that no taxes be levied; except "with the consent of the proprietary, or chiefe Governor and assembly, or by Act of parliament in England;" and (6) the stipulation that copies of all Pennsylvania laws be transmitted within five years to the Privy Council for approval.

The boundaries of the province seemed more definite than those of the previous grants, but there were several vague statements that led to controversies with both New York and Maryland. The territorial limits extended from "Delaware River, from twelve miles distance, Northwards of New Castle Town" on the east, northward to "the beginning of the 43d degree," southward to "the beginning of the 40th degree," and westward five degrees. Thus, it was not a sea-to-sea grant; in fact, this was the only colony without an Atlantic seaboard. Penn's anxiety for a harbor led him to obtain from the Duke of York in August 1682 two deeds of feoffment, one of Newcastle, and the other of the land between Newcastle and Cape Henlopen. This area west and south of the Delaware River came to be called the "Territories," or "Lower Counties," and is practically

identical with modern Delaware—hence the phrase in official colonial documents, “the Province of Pennsylvania, and the Territories thereunto annexed.”

The vagueness of these charter provisions, the ignorance of geography, and the efforts of Pennsylvania to control the navigation of the Delaware River led to many bitter boundary disputes. The controversy with New York was finally settled in 1785–1787 with an agreement on the forty-second degree line, a loss to Pennsylvania. The prolonged dispute with Maryland was concluded in 1767, when Charles Mason and Jeremiah Dixon, surveyors representing the interested parties, established a line, which bears their names, nineteen miles south of the fortieth parallel, this time to Pennsylvania’s gain.⁴ Migrants from Connecticut, on the basis of its sea-to-sea charter, settled in the northern portion of Pennsylvania, where they were eventually involved in a series of local conflicts known as the Yankee-Pennamite wars (mainly 1769–1772), which were not solved until the close of the American Revolution.

Penn’s Holy Experiment. Upon receiving the charter, Penn proceeded at once with his plans to establish a free, self-governing colony, irrespective of race or creed, and with complete political and religious freedom—a “Holy Experiment” as he called it. His ideas were set forth in a letter to settlers already there:

I hope you will not be troubled at your change and the king’s choice, for you are now fixed at the mercy of no governor that comes to make his fortune great; you will be governed by laws of your own making, and live a free, and, if you will, a sober and industrious people. I will not usurp the right of any, or oppress his person.... In short, whatever sober and reasonable men can reasonably desire for the security and improvement of their own happiness, I shall heartily comply with, and in five months I resolve, if it please God, to see you. In the meantime pray submit to the commands of my deputy [William Markham], so far as they are consistent with the law, and pay him those dues (that formerly you paid to the order of the governor of New York) for my use and benefit, and so I beseech God to direct you in the way of righteousness, and therein prosper you and your children after you. I am your true friend.

Penn felt so strongly on the subject of the unjust treatment of the Indians by the early colonists, which had resulted in frequent wars, that immediately after receiving his grant, he sent a letter to the Indians of his province expressing his “great love and regard” for them and his desire to win their friendship by “a kind, just, and peaceable life.” He recognized the Indian claim to the ownership of land, and in a series of treaties with them he obtained, on terms satisfactory to both, a clear and complete title to the land of the province. By the first of these important agreements (1682), the Indians deeded to Deputy-Governor William Markham the lands near the “Falls of Delaware River.”

The Frame of Government. The first “Frame of Government” was drawn up by Penn in the spring of 1682, while he was still in England, and expressed his

⁴ Had Maryland’s claim been followed, Philadelphia would have been partly in Maryland.

political ideals. Penn believed that God made the world, and "it pleased him to chuse man his Deputy to rule it." At first, in time of man's perfection, there was no need for government, as man acted from "the precept of divine love and truth, in his bosom." But with the fall of man and the appearance of sin, "the law, that before had no power over him, took place upon him, and his disobedient posterity." As law is from God, there is "the divine right of government." Government has two purposes: "first, to terrify evil doers; secondly, to cherish those that do well." The first is "the coarsest"; the second, "the greatest part of government." The end of government is happiness, and whether monarchy, aristocracy, or democracy be the best form is a matter of dispute. Then Penn continued:

*Any government is free to the people under it (whatever be the frame) where the laws rule, and the people are a party to those laws, and more than this is tyranny, oligarchy, or confusion.... Governments, like clocks, go from the motion men give them, so by them they are ruined too.... Let men be good, and the government cannot be bad; if it be ill, they will cure it. But, if men be bad, let government be never so good, they will endeavor to warp and spoil it to their turn.... [Therefore] we have ... to the best of our skill, contrived and composed the *frame* and *laws* of this government, to the great end of all government, viz: *To support power in reverence with the people, and to secure the people from the abuse of power;* that they may be free by their just obedience, and the magistrates honourable, for their just administration: for liberty without obedience is confusion, and obedience without liberty is slavery.*

Penn brought this "Frame" to Pennsylvania in the fall of 1682, as well as a set of "laws agreed upon in England," to be altered or amended by the freemen.⁵ It established a government complex in structure. There was a council of seventy-two members, one third elected by the freemen each year on a rotating principle. This council initiated all measures, which were then submitted to an assembly of two hundred, elected by the voters.

The first assembly, meeting in December 1682, adopted a code, the "Great Law," which reduced its membership to seventy-two representatives, popularly chosen. Eighteen of these were to be councilors, and the remainder, assemblymen. The reorganized legislature, which met early the next year as a bicameral body, expressed dissatisfaction with the original Frame of Government and drafted a new one, which Penn approved. Under this scheme, emanating from the assembly and not from the proprietor, there was a council of eighteen and an assembly of six delegates from each county. In 1696 another Frame of Government, issued by Governor Markham and differing in a number of details, was substituted. Naturally, these several changes caused confusion in government, as well as ill-feeling between the proprietor and the people.

Therefore, in 1701 Penn issued a "Charter of Privileges" that functioned satisfactorily until 1776. Under it, the government was of the usual colonial

⁵ A freeman was defined as "a person who owns land or pays taxes."

type except that it had a unicameral legislature that did not include the governor's council, and it provided for virtually complete toleration:

That no Person or Persons . . . who shall confess and acknowledge *One* almighty God, the Creator, Upholder and Ruler of the World; and profess him or themselves obliged to live quietly under the Civil Government, shall be in any Case molested or prejudiced, in his or their Person or Estate, because of his or their conscientious Persuasion or Practice, nor be compelled to frequent or maintain any religious Worship, Place or Ministry, contrary to his or their Mind. . . .

The right to vote and to hold office was granted to those "who also profess to believe in *Jesus Christ*, the Saviour of the World," if they also promised loyalty to the king and fidelity to the proprietor. Property qualifications were soon added for voting: fifty acres of land or £50 of personal estate. A most unusual feature allowed amendment of the charter with the approval of the proprietor and six sevenths of the assembly. The first article, "relating to Liberty of Conscience," however, "shall be kept and remain, without any Alteration, inviolably for ever."

During this struggle over the type of government, controversies understandably developed over the respective roles of the several branches: proprietor, governor, council, and assembly. Penn's frequent absences in England in the varied interests of his province actually aggravated them. The council, for instance, levied taxes "by the authority of the President and Council," thus completely ignoring the assembly. Not until the Charter of Privileges was instituted were these differences compromised.

Meanwhile, Penn was having his own troubles in England. There was his bitter dispute with Lord Baltimore over boundaries. Next, his close friendship with the now hated James II provoked the king's enemies to threaten *quo warranto* proceedings against the Pennsylvania charter. The proprietor, worried by his troubles in both England and America, reverted to his Quaker calm to plead: "For the love of God, me, and the poor country, be not so governmentish, so noisy, and open in your dissatisfactions."⁶

The Growth of Pennsylvania. Penn made just as careful plans to attract new settlers as he did to keep the old and to establish a government. In fact, Pennsylvania was the most widely advertised of all the colonies. Under the title *Some Account of the Province of Pennsylvania*, Penn circulated many promotional tracts. First, he wrote a pamphlet describing in glowing terms the advantages, both economic and governmental, of settling in Pennsylvania. This was widely circulated not only in England and Wales, where there were many Quakers, but also in Ireland, the Netherlands, and Germany. On the Continent the propaganda appealed particularly to Mennonites and other minority sects whose

⁶ The climax to Penn's troubles came as a result of the Glorious Revolution. See pp. 210-215.

religious views were similar to those of the Quakers. A second pamphlet outlined the liberality of his land policy. A person could buy five thousand acres in Pennsylvania for the low price of £100, on which the annual quitrent was but 50 shillings, or, for a £20 cash payment, the rent would be commuted. Smaller plots could be rented for a penny an acre. And those who could not pay their passage and had to indenture themselves were promised fifty acres when their indenture was completed. Still another appeal was made to potential leaders. The popular type of government would give them opportunity to seek and obtain public office. Thus, varied types of settlers were sought in this broad advertising campaign: those seeking religious freedom, prospective large land-holders, small farmers, indentured servants, and aspirants to leadership. The response was most gratifying.

Penn sent over his first colonists in 1681, but he himself did not arrive until the summer of 1682, accompanied by about a hundred fellow-Quakers. James Claypoole wrote in 1683 that "people were coming in fast," and Penn, when he arrived, estimated the number in the colony at four thousand. These included Dutch, Swedes, and Finns who had been living in the area for some years.

The first group to come directly because of Penn's advertising campaign were the Welsh. The "Apostle of Quakerism" in Wales, John ap John, obtained from Penn a thirty-thousand-acre tract—later increased to fifty thousand—known as the Welsh Tract, Cambria, or New Wales. Welsh immigrants began to arrive in 1682. By the end of the century they had established settlements at Merion, Haverford, Radnor, and other places in the vicinity of Philadelphia.

An important factor in the development of Pennsylvania was the growth of Philadelphia into one of the largest port towns in colonial America. Its establishment (1682) again showed Penn's careful planning. He had sent over surveyors before his arrival to plot "a green country town, which will never be burned and always be wholesome." The "City of Brotherly Love," located between the Delaware and Schuylkill rivers, was in direct contrast to most colonial towns. Its streets ran at right angles to one another; those running in one direction were numbered, many of the cross-streets were named for trees.

The majority of Philadelphia's inhabitants were English and Welsh Quakers, who proved excellent businessmen. As a result of their enterprise and ability, the town quickly developed into one of the leading industrial and shipping centers of the Atlantic seaboard. Gabriel Thomas, a resident of Philadelphia, writing in 1698, said that the "Noble and Beautiful City" contained two thousand houses, "most of them Stately and of Brick, generally three Stories high, after the Mode in London, and as many as several Families in each." The town had "Three Fairs every Year, and Two Markets every Week."

The first community settlement after the establishment of Philadelphia was Germantown, founded in the fall of 1683. Though the majority of its people were of German stock, its first settlers were Quakers from Krefeld in the Rhine-land and Krisheim in the lower Palatinate. Its leading spirit was Francis Daniel Pastorius, a lawyer of Frankfurt-on-the-Main, agent of a land company, and



"the pioneer of German immigration into Pennsylvania."⁷ By 1690 Germantown had a population of about three hundred, largely German Quakers, Lutherans, and Mennonites.

By the turn of the century German immigration had increased greatly and had begun to spread into the interior. The Pennsylvania Dutch, as these Germans came to be called, showed as much ability and energy in farming as the Philadelphians did in business. This combination contributed greatly to the growth and expansion of the colony. Therefore, Pennsylvania, by the opening of the eighteenth century, ranked third among the English colonies in population and wealth, despite the fact that it was only coming of age.

Outside the towns of Philadelphia and Germantown, most of the settlers of seventeenth-century Pennsylvania were farmers. According to a contemporary writer, the chief crops were wheat, rye, peas, oats, barley, buckwheat, corn, and beans, "with great quantity of Hemp, and Flax; and also several sorts of eating Roots, as Turnips, Potatoes, Carrots, Parsnips" and a great variety of vegetables and fruits. Some farmers had as many as "Three Hundred Head of Cattle," sheep in "considerable numbers," horses that were "very hardy," and oxen that were very powerful.

The colony had an unusually large number and variety of artisans. Among those listed by Gabriel Thomas in 1698 were: blacksmiths, carpenters, bricklayers, shoemakers, tailors, sawyers, weavers, woolcombers, curriers, brickmakers, feltmakers, glaziers, bakers, butchers, brewers, silversmiths, and plasterers.

Delaware. Delaware, originally settled by Swedes and subsequently captured by the Dutch, was part of New Netherland. As such, it was turned over to James, Duke of York, in 1664. He gave little attention to its development. Consequently, for about the first twenty years of English rule the heterogeneous settlers—Swedes, Finns, English Quakers, and Scotch-Irish—managed their own affairs in peaceful fashion. Their government was quite liberal, and there was a marked degree of religious toleration. Their major economic interest was agriculture, with considerable diversification. Most of the settlers were small farmers who tilled their soil without either servants or slaves. The region, however, included Bohemia Manor, an estate of twenty-four thousand acres (granted many years earlier to Augustine Herrman by Lord Baltimore)⁸ worked by Negro slaves.

In 1682 the Duke gave the Delaware territory to his friend William Penn, who incorporated it into Pennsylvania as the "Territories" or "Lower Counties." Delaware was represented in the Pennsylvania assembly on an equality with the counties to the north, and the Pennsylvania governor became its executive.

⁷ The Krefelders had bought eighteen thousand acres from Penn, and the Frankfurt Company purchased fifteen thousand acres, increased later to twenty-five thousand. Professor Hull has pointed out that the first settlers of Germantown were Dutch Mennonites, not German Quakers.

⁸ Eventually, the Lord of Bohemia Manor sold part of his land to a religious sect, known as Labadists, who planted a small settlement in 1683.

This government pleased the Delaware settlers no more than it did the Pennsylvanians. Therefore, the Charter of Privileges provided that the "Lower Counties" could have their own legislature if they so desired. As the answer was overwhelmingly in the affirmative, in 1703 the Delaware electorate chose its own representative assembly. The colony, though separate and distinct from Pennsylvania thereafter, was still under the jurisdiction of the Penn family, and its governor was usually the executive of Pennsylvania.

COLONIAL UNREST, 1660-1689

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For more than a decade after the restoration of Charles II in 1660, the colonies enjoyed a period of expansion and apparent prosperity. With few exceptions, colonial governments functioned more smoothly than before, Indian problems were less critical, and settled areas expanded, particularly along navigable rivers. Agriculture, industry, and commerce took on new life, despite the trade laws of England, which were respected more in the breach than in the enforcement. Yet, these outward signs of calm and prosperity were deceptive, for the seeds were being sown for the economic and political unrest that eventually culminated in insurrections in most of the colonies.

Louder protests were heard about arbitrary, inefficient, and even dishonest government. Demands for a "free parliament" were more frequent. Complaints were increasingly directed against heavy and discriminatory taxes, including quitrents. Cries arose that justice was perverted to favor the rich. Restlessness mounted as wars and rumors of wars with the Indians and fear of the French increased. In addition, Protestants were worried about the spread of Catholicism. All these and other related causes—and not the desire for separation from the mother country—combined to furnish the impelling motives for the colonial insurrections of the 1670's and 1680's.

The Restoration in Virginia. The situation in Virginia affords one of the best illustrations of this unrest. When news of Richard Cromwell's resignation reached the colony in March 1660, the Assembly declared that as no resident sovereign was then recognized in England, the Assembly itself was the supreme power in the colony until further command was received from the lawful ruler in England. Sir William Berkeley was again appointed to the governorship, this time on condition that he call the Assembly at least every two years. Soon after the news of Charles II's restoration, the new king was proclaimed in Virginia on September 20, 1660. The issuance of a royal commission to Berkeley completed reestablishment of royal rule in the province. This was accomplished without any untoward local incidents, for, after all, Virginia was more closely identified in politics, religion, and trade with the objectives and policies of the mother country than perhaps any other mainland colony. Many of its people, particularly the ruling group, boasted that Virginia was the only royal colony and that it had remained loyal to the Stuarts, thus acquiring the title of "Old Dominion."

Governor William Berkeley of Virginia.
(From the Portrait at Berkeley Castle by
Sir Peter Lely, Courtesy of the Trustees of
the late Randal Thomas Mowbray, Eighth
Earl of Berkeley)



Moreover, Governor Berkeley conducted an efficient, though undemocratic, administration for the next decade. In faithful fashion, he performed his duty—as he saw it—to king and colony. He convened the legislature annually and sent copies of its laws to England; he corresponded regularly with home authorities; he developed the militia, built forts, and defended the colony's shipping against periodic Dutch attacks; he promoted the Anglican Church; he made improvements in the capital at Jamestown; he encouraged diversified agriculture; he attempted—but unsuccessfully—to bolster falling prices of tobacco by regulating acreage and prices; he sought to sponsor cloth manufacture; and he persuaded the legislature in 1662 to pass an act “Concerning Indians,” in an effort to guarantee security against Indian attacks.¹ Partially as a result of these policies, the colony grew and expanded. New settlements were made, new counties were created, and there were many other visible signs of peace, programs, and orderly government.

Bacon’s Rebellion. These outward signs were misleading, however, for the governor’s arbitrary rule was a major cause of increasing unhappiness. Berkeley believed that voting and office holding should be the “privilege of the wealthy,” as it was in England, a belief translated into the law of 1670, which restricted the franchise to freeholders. The governor himself was a wealthy landowner and had a personal stake in the fur trade. Besides, his annual salary of £1,200 from permanent revenues (quitrents) was considered excessive by many people.

¹ This law observed that “the mutuall discontents, complaints, jealousies and feareas of English and Indians proceed chiefly from the violent intrusions of diverse English made into their lands,” forcing the Indians by way of revenge to kill the cattle and hogs of the settlers, and it prohibited any alienation of land “now justly claymed or actually possest by any Indian or Indians.”

He and his appointive council, whose members enjoyed freedom from taxation and quitrents, controlled the government because they had a voting majority in the unicameral legislature. The individual councilors also held key positions in the vestries of their respective communities and dominated the local "court-house rings." Furthermore, Berkeley kept a "rubber stamp" House of Burgesses in session from 1660 to 1674 without new elections. He had laws passed that he wanted, he refused to fill council vacancies, and the legislature, under his thumb, refused equitable representation to newer counties in the back country. The governor also appointed the justices of the peace, who composed the county courts, and the sheriff, who was the executive officer of these courts. Many complaints were made against sheriffs for collecting excessive fees, "harrying poor debtors," distraining for nonpayment of taxes, and misusing public funds.

The people had many other grievances against the governor, and some against the mother country. The "covetous foolage" of Berkeley led to imposition of many unnecessary taxes. There were poll taxes, taxes to build forts "in each of the rivers" to protect the colony against the Dutch and forts on the frontier against the Indians, "special taxes" for the improvement of Jamestown, a levy of thirty pounds of tobacco per poll "to encourage the building of towns," and a special assessment to pay the expenses of agents sent to England to protest the proprietary grant of Virginia to Lords Arlington and Culpeper.² To make matters worse, complaints were soon forthcoming that these public funds were being wasted, that they were not audited properly, if at all, that the authorized forts had not been built and garrisoned, nor the contemplated towns established. As one unhappy Virginian expressed it, "Poore people not knowing for what they paid their levy did allways admire how their taxes could be so high." And Nathaniel Bacon declared, "The poverty of the Country is such that all the power and sway is got into the hands of the rich, who by extortious advantages, having the common people in their debt, have always curbed and oppressed them in all manner of wayes."

In addition, agrarian discontent was increasing, the result of several bad crop years, a severe epidemic among cattle, and a drop in the price of tobacco from three pence to a halfpenny a pound (due partially to overproduction and partially to the application of the Navigation Acts). Dutch seizure of ships of the Virginia "tobacco fleet" also created difficulties. The mounting unrest extended to servants and slaves and led to several uprisings in 1663.

But the trouble that culminated in open insurrection originated in a dispute over Berkeley's Indian policy. Frontiersmen constantly complained that they were not protected from Indian attacks. They insisted that the law of 1662 "Concerning Indians" had not been enforced, that forts had not been built, and that the governor had disregarded popular demands for a larger militia in order not to jeopardize his profits from the fur trade. Not realizing the gravity of the frontier situation, Berkeley declared in 1671, "The Indians, our neighbours, are absolutely subjected, so that there is no fear of them." Despite his

² This grant, made by Charles II in 1673, was not settled by the grantees and was finally reduced to quitrents and reverted to the crown on payment of £600 annually for twenty years.

optimism, the Indian menace steadily increased. In 1675 a band of Indians from Maryland killed two Stafford County settlers. Only then did the governor call out the militia, which pursued and killed some of the invaders. Shortly after, however, a much larger band of Susquehannock tribesmen invaded the colony, and in one day in January 1676 slaughtered thirty-six whites. This time, however, he refused the settlers' plea for troops, saying that nothing could be done until the legislature met. And by the time this body assembled, an estimated three hundred Virginians had been killed.

The legislature finally did declare war on the Indians, but when it failed to provide the necessary military support, the people took matters into their own hands. Nathaniel Bacon, a recent settler in Henrico County and a member of the governor's council, raised some three hundred "volunteers," and without official sanction defeated the hostile Indians, killing approximately 150 of them.

Berkeley promptly proclaimed Bacon a "rebel" and suspended him from office. But the people "drew into arms," demanding dissolution of the current assembly and the election of a new one by "open franchise." The governor, fearing "the rage of the people," agreed to these demands, and "by this act the crust of official privilege which for sixteen years had been forming in Virginia was broken through." The new assembly brought about many reforms. It provided for prosecution of the Indian war, authorized Bacon to raise a thousand troops, restored freemen to full citizenship by repealing the act of 1670, and rescinded the law exempting councilors and ministers from taxation. It also established periodic election of vestrymen, authorized county courts to appoint collectors of local levies, required sheriffs to collect public dues within a specified time and give a proper accounting, and prohibited illegal fees and unlawful extension of public office.

Meantime, Bacon had returned to Henrico, where he raised a force of about five hundred men, which on June 23, 1676, he led without opposition into Jamestown, where he compelled Berkeley to sign his commission as head of the militia. Six days later the governor changed his mind and again proclaimed Bacon a rebel. He also called out the militia of Gloucester and Middlesex counties; when they refused to fight against Bacon, Berkeley fled to the Eastern Shore.

On August 3 Bacon organized his troops at Middle Plantation (the present Williamsburg), and his followers took an "Oath of Fidelity" by which they pledged to assist him. In addition, they acknowledged that all his actions had been legal and those of Berkeley illegal and ruinous to the colony, and promised to oppose any troops that might be sent from England.³

³ Herbert L. Osgood wrote that Bacon was "already fascinated by the dream of colonial revolt, and its indefinite possibilities. The plans which were to take shape a century later were already floating dimly before his mind." It is true that Bacon thought other colonies might join his revolt. He wrote: "The governors of Carolina have taken no notice of the people, nor the people of them, a long time, and the people are resolved to own their governor no further." And John Culpeper, who led the revolt in Albemarle, was conferring with Bacon at Jamestown in 1676.

In September, Berkeley, with some six hundred poorly armed men, was admitted to Jamestown, then under control of Bacon's followers. On returning from an Indian expedition, however, Bacon drove Berkeley from the capital on September 18, and burned the town the next day. But Bacon died from exhaustion and overexposure exactly one month later. Because there was no one strong enough to take his place, Bacon's Rebellion quickly came to an end. Berkeley returned to power and rescinded all the recent reform measures. Also, despite the royal promise of pardon, at least twenty-three "rebels" were hanged by order of the uncompromising governor.

News of the Rebellion had meanwhile reached England, and early in 1677 Charles II sent a force of about a thousand men under Colonel Herbert Jeffreys to pardon all of Bacon's followers and to succeed Berkeley (who had sailed for England in May 1677, where he died shortly after his arrival) as governor. Two special commissioners, John Berry and Francis Moryson, were also sent to investigate the causes of the uprising. They found conflicting testimony: those from the back country asserted the trouble stemmed from the Indian problem; those from the Tidewater avowed it was brought on largely by taxation and arbitrary government at all levels. Both sections, however, did condemn the "plundering" of both Berkeley and Bacon. Although the two commissioners concluded that the grievances expressed in the various counties did not indicate "the existence of a dangerous spirit of revolt," they did recommend acquiescence in most of the recent reform laws.

The real significance of Bacon's Rebellion arises from the fact that it was the first instance in the colonies "in which the common people rose not only against the royal governor, but also the rule of the privileged class." Far behind the immediate cause of the Indian menace was the dissatisfaction among the "common men" of the colony generally, and of the back country in particular, with the arbitrary rule of a royal governor and his aristocratic supporters, which deprived them of rights and privileges to which they believed themselves entitled. There has been no general agreement among historians on either the causes or the long-range results of Bacon's Rebellion. Some have considered it as a sectional contest, others as a class conflict—patrician versus plebian—and one has called it the "first democratic uprising in American history." None of these interpretations is wholly correct. But, as Frank Wesley Craven has written, "as so frequently would be the case thereafter, a protest rooted in sectional interest broadened into a general attack on special privilege and on abusive use of political power." Consequently, Bacon "has been accorded a rightful place among those who have shaped the long tradition of political liberalism in America."⁴

The "insurgents" did not win immediate victory. The remaining Stuart kings

⁴ Craven, in his *The Southern Colonies in the Seventeenth Century*, has written the best treatment of the rebellion. For a pro-Bacon interpretation, see Thomas J. Wertenbaker, *Torchbearer of the Revolution: The Story of Bacon's Rebellion and Its Leader* (1940). For a monograph more sympathetic to Governor Berkeley, see Wilcomb E. Washburn, *The Governor and the Rebel* (1957).

attempted to end the Baconian reforms by sending over royal governors who were practically as arbitrary as Berkeley. The people, however, had gained some experience in pushing their demands, so that future governors had to give ground by allowing the passage of measures that granted more popular rights to the average settler. Accordingly, the newly elected assembly in October 1677 reaffirmed the right of the county court to appoint collectors, prohibited pluralism in holding the offices of justice and clerk of the court, and re-enacted several other measures that had been passed by the "Baconian legislature" of the preceding June.

Culpeper's Rebellion in North Carolina. As Bacon's Rebellion drew to a close, another armed uprising occurred in North Carolina. The causes for this revolt, ordinarily called Culpeper's Rebellion, can be traced almost to the beginning of the settlement of that province. It had its origin in a factional struggle for governmental control between the proprietary and antiproprietary parties, and in the efforts of the former to enforce the Navigation Acts, particularly the Plantation Duty Act of 1673.

When matters came to a head in 1677, Thomas Miller, collector of the customs and acting governor, was leader of the proprietary faction.⁵ George Durant, an original settler and now a large tobacco planter and legislator, was the real head of the opposition, although John Culpeper, recently arrived from South Carolina, was its nominal leader. When Miller seized goods being exported and imported illegally, imprisoned ship captains for trade law evasions, and threatened personally to arrest Durant for "treason," the latter's followers rose in revolt. They seized the customs revenues, jailed Miller, and elected an assembly that chose Culpeper as governor. It also appointed a council, which declared that if Thomas Eastchurch tried to assume the governorship, "they would serve him the same sauce" they had administered to Miller.

To carry out this threat, they sent armed forces to the Virginia border to prevent Eastchurch, recently arrived there, from entering North Carolina (Albemarle County). Eastchurch suddenly died, however, and with Miller in jail, the "rebels" administered the government for more than a year. When Miller escaped and went to England to lay his case before the proprietors, the assembly countered by sending Culpeper to present theirs.

Miller apparently had the weightier arguments, for Culpeper was arrested and tried for treason. He was acquitted of that charge, however, because there had been "no settled government" in Carolina at the time; he was found guilty only "of riot."⁶ This unpleasant incident was not settled until the proprietors

⁵ In 1676 Thomas Eastchurch had been appointed governor of Albemarle County by the Carolina proprietors, with specific instructions to "take all necessary steps" to enforce the trade laws. Miller was chosen as secretary and collector of the customs. Eastchurch was long delayed in the West Indies, where he fell in love with a wealthy woman, and he sent Miller to Carolina to act in his stead and to "settle affayres against his coming."

⁶ The proprietors had ordered the Albemarle legislature to send Culpeper to England. Lord Shaftesbury (formerly Ashley-Cooper) used his influence to obtain Culpeper's acquittal.

sent one of their own number as governor, and promised the commissioners of the customs to make satisfactory settlement for seizure of revenues "without lawful authority."

The Restoration in New England. In 1652 the Bay Colony declared herself a "commonwealth" and petitioned Cromwell to recognize this action. Four years later certain London merchants inquired "whether it would not be the prudential thing to draw all the Islands, Colonies, and Dominions of America under one and the same management here." Before anything could be done, Charles II was restored to the throne. The Massachusetts General Court, anxious to make peace with the new monarch, prepared an "address" in December 1660, congratulating him and praying for the continuance of its charter of 1629, along with the privileges and liberties granted therein. But the solution was not so simple as the General Court would have liked it to be. In the colony there was considerable complaint from the rank and file "that they were ruled like slaves" by the Puritan-controlled provincial government, "and would soon have no more privileges than heathen unless the church discipline were amended." And in England a committee of the Privy Council was chosen to consider the affairs of the New England colonies generally and of Massachusetts in particular. Its report of April 30, 1661, summarized the complaints against the Bay Colony, placing most emphasis on restrictions on suffrage and religious liberty. As a result, Charles II in September 1661 ordered the extension of suffrage to persons of "good estate," regardless of church membership, and specified the right of Anglicans to worship freely.

The Puritan leaders of the Bay Colony cleverly evaded these royal orders by passing a new suffrage law that qualified for admission as freemen only those males, twenty-four years of age or above, who paid an annual tax of ten shillings, were certified by a minister of an approved congregation, and were elected by members of the corporation. In theory, the suffrage was thereby broadened; in practice, there was little change. Only a handful of inhabitants had to pay a tax of ten shillings, and certification by a minister of an approved congregation meant a Puritan clergyman, who would be most reluctant to approve anyone not of his faith. As to the order about freedom of worship for Anglicans, it was utterly disregarded.

The irate king sent a judicial commission in 1664 to hear complaints against the Massachusetts government. The Puritan leaders, however, warned the inhabitants that if they appeared before the commission, they would be subject to dire punishment. As a result, the commission accomplished nothing and returned to England fully convinced that the only solution was the abrogation of the Massachusetts charter. The defiant Bay Colony then declared that Parliament had no right to legislate for it, or the king to supervise its laws and courts—that Massachusetts was "not obliged to the king by civility."

On the other hand, both Connecticut and Rhode Island complied with all royal instructions. Consequently, both received royal charters that were ex-

tremely liberal,⁷ not at all in line with other actions of Charles II. These charters created practically independent republics. They recognized the existing governments that incorporated the voters into a body politic. Both colonies were granted the right of self-government, with the governor, assistants, and assembly all chosen by the voters. There was no provision for royal disallowance of laws, and the Rhode Island charter confirmed that colony's liberal religious policy. On the other hand, New Haven, another Massachusetts in miniature, lost its separate entity by being incorporated into Connecticut.

For more than a decade disturbed conditions at home—such as a severe and widespread epidemic in 1665, followed by the great London fire in 1666—and wars with the French and Dutch, prevented England from taking vigorous action against the defiant Bay Colony. Meanwhile, Massachusetts continued to evade the trade laws, to enact measures—or “resolves”—contrary to those of England without sending them to London for approval, and to disfranchise the majority of her inhabitants, including about two thirds of her wealthiest merchants. The colony also forcibly extended its jurisdiction over New Hampshire and Maine. This semi-independent and belligerent attitude was discussed by various governmental agencies in England and was recorded in the diaries of both Samuel Pepys and John Evelyn.

Other Causes of Friction Between England and New England. The economy of the British colonies in the South and in the Caribbean was better adapted to the mercantile system than that of New England or the Middle colonies. Such commodities as sugar from the Caribbean islands, tobacco from the Southern colonies, and naval stores from Carolina did not compete with articles produced in the British Isles. The exportation to England of vast quantities of these products meant that the mother country would not have to purchase them from “enemy nations.” It also enabled England to build up a large re-export trade, which in turn gave her a credit balance in the world market. Furthermore, the large number of English ships used in this trade and the large quantity of English manufactures purchased by the “tobacco colonies” and the “sugar islands” were of inestimable value. It has been truly said that the Southern colonies and island plantations so complemented and supplemented Britain’s commercial policy that they “filled up a geographical inconsistency.”

Quite a different situation prevailed in New England. English leaders had hoped that the colonization of this region would result in the production of naval stores that would free England from its dependence upon Sweden and other Baltic countries for these indispensable items, and that a great fishing industry would be developed to strengthen England’s position in competition with France. These expectations were not realized. The naval stores industry was a dismal failure, and though fishing and whaling became major interests, they were purely “colonial enterprises” that did not enhance England’s com-

⁷ See pp. 101-102, 105.

mercial or naval strength but actually competed with England in the Newfoundland fisheries. As a source of raw materials—one of the basic objectives of mercantilism—New England made few returns, except for some fish oil, a few furs, ships, and masts for the royal navy. It is true that New England purchased some English manufactures, but this outlet was small, and Massachusetts in particular tried to build up local industries to compete with British-made commodities. New England also competed with other mainland colonies, and to some extent with England, in the sale of "provisions" and other foodstuffs to the West Indies.

As early as 1665 several English statesmen considered the New England colonies the "unfortunate results of misdirected efforts," which contributed little to "bring about a self-sufficient commercial empire of mutually complementary economic parts." In the same year Josiah Child, a prominent economist, wrote, "New England is the most prejudicial plantation for the kingdom of England." In 1671 the Earl of Sandwich, president of the Council for Plantations, reported that New England was "a numerous and thriving people," and within twenty years would likely be "mighty rich and powerful and not at all carefull of their dependence upon old England." He believed that, as a result, the mother country stood to lose £50,000 a year in the sale of manufactures, and that it would not be long until New England would furnish the West Indies with "all wooden utensils . . . and with other manufactures . . . that we doe and so reap the whole benefit of those colonies." He did not believe it possible, however, to prevent entirely this increase of New England's commerce, but he thought it "advisable to hinder theire growth as much as can be." Two years later Captain Wyborn, who had returned to London from a three months' stay at Boston, reported that the trade of New England was very large both to the West Indies

[and] to most parts of Europe, so that it has become a Magazine both of all American and European commodities for the furnishing and supplying of the several countreys and that . . . ships arrive dayly from Spain, France, Holland & Canarys bringing all sorts of wines, linens, silks, and fruits, which they transport to all the other plantations taking American commodities in exchange which they carry back to the aforesaid Kingdoms without coming to England.

In 1675 the commissioners of the customs reported that several ships carrying goods from Europe had landed in New England contrary to law, and that the New England colonies were sending goods directly to the Continent. The same year the mercers and silk weavers of London declared that New England was supplying the other colonies with silk and cloths brought directly from France, Italy, and other places, a trade that they said cost England £60,000 a year in lost revenues.

After considering these complaints, the Privy Council turned them over to the newly created *Lords of Trade*, who sought further information and advice. Some leading merchants "declared plainly how all sorts of goods growing in other plantations were brought to New England on payment of the duties pay-

able by the Act for going from one plantation to another," that ships from Holland sailed directly to the colonies, and that commodities thus illegally imported were sold in Massachusetts 20 per cent cheaper than the English could afford to sell them. "If this were not prevented," concluded the merchants, "it would destroy the trade of England there." About the same time, twenty-eight English merchants complained that

the inhabitants of New England traded directly to most parts of Europe and encouraged strangers to trade with them, whereby all sorts of merchandise of the produce of Europe are imported directly into New England, and thence carried to all the other King's dominions in America, and sold at far cheaper rates than any that can be sent from thence, and that they take in exchange the commodities of the Plantations which are transported to Europe without coming to England, so that New England is become the great mart and staple, by which means the Navigation of the kingdom is greatly prejudiced, the king's revenue inexpressibly impaired, the price of home and foreign commodities lessened, trade decreased, and the King's subjects much impoverished.

Therefore, they requested that "the people of New England be reduced or compelled to trade according as your Majesty's laws have prescribed, otherwise the commerce and navigation of this Kingdom must inevitably suffer great diminution."

The Lords of Trade agreed that "this is the conjuncture to do something effectual for the better regulation of that government [Massachusetts], or else all hopes of it may be hereafter lost," but they were undecided as to the proper course. At first they suggested sending another royal commission to investigate New England. After further consideration, however, they concluded this would be unwise; it would be expensive, had no assurance of success, might further antagonize the colonies, and "would look like awarding execution on those people before they were heard." The ultimate decision, therefore, was that the king should order Massachusetts to send agents to England within six months to answer the charges against it and should appoint a single commissioner to New England to make a thorough investigation of trade, government, military affairs, Indian relations, and other aspects of the disturbing situation.

Edward Randolph, chosen for this delicate mission, arrived in Boston in the summer of 1676,⁸ just when the colony's energies were directed to the successful prosecution of King Philip's War. He received a cool, if not hostile, reception. Governor John Leverett made light of the Mason and Gorges claims against Massachusetts, declaring them "impertinences, mistakes, and falsehoods." As to the royal demand that agents be sent to England within six months, the governor simply said he would take the matter under advisement. When Ran-

⁸ Randolph had instructions to make inquiries as to the form of civil government, laws derogatory to those of England, ecclesiastical conditions, population, military forces that could be raised and the number of experienced officers, the number and condition of forts, the state of Harvard College, relations with other colonies, shipping and the manner in which the trade laws were observed, taxes and fines levied, and the general feeling toward the mother country. These inquiries were to be made of all the New England colonies, but particularly of Massachusetts. See Michael G. Hall, *Edward Randolph and the American Colonies, 1676-1703* (1960).

dolph reported to Leverett that he had personally seen several ships arrive at Boston from Spain, France, and other countries in clear violation of the trade laws, the governor blandly replied that

the laws made by your Majesty and your Parliament obligeth them in nothing but what consists with the interests of that colony, that the legislative power abides in them solely to act and make laws by virtue of a charter from your Majesty's royal father, and that all matters in difference are to be concluded by their final determination without any appeal to your Majesty, that your Majesty ought not to retrench their liberties, but may enlarge them . . . and that your Majesty could do no less in reason than let them enjoy their liberties and trade, they having upon their own charge, and without any contribution from the Crown made so large a plantation in the wilderness.

Randolph's reception by the Massachusetts authorities, as well as the obvious violations of the trade laws, convinced him that the Bay Colony was determined to pursue its independent course. It is not surprising, therefore, that when he returned to England near the end of 1676, he presented to the king a list of twenty-four "Assumed Powers" not granted in the Massachusetts charter. Among other charges, Randolph declared that the Massachusetts officials had "noe right either to Land or Government in any part of New England and have always been Usurpers," that they had "formed themselves into a Common Wealth, denying any Appeals to England, and contrary to other Plantations do not take the Oath of Allegiance," and that they had protected the "murderers" of Charles I. Moreover, those same officials had "Coined money with their owne Impress," had opposed His Majesty's commissioners, and had imposed an oath of fidelity of their own to be "true and faithful to their Government." To Randolph's way of thinking, what was most flagrant was their violation of all the acts of trade and navigation, "by which they have impressed the greatest part of the West India trade whereby his Majesty is damaged in his Customs above £100,000 yearly and this Kingdome much more." In this connection, Randolph stated specifically:

There is no notice of the laws of trade and all nations have free liberty to come into their ports and sell their commodities, without any restraint, and in this, as well as in other things, that government would make the world believe they are a free state and they presume to give passports to ships, not only belonging to that colony but also to England without any regard to the rules of the English king.

He thought the king had an excellent opportunity "to Settle that Country under his Royal Authority with little charge," and that the people, "wearied out with the Arbitrary proceedings of those in the present Government," would be happier under royal rule. He suggested the use of English troops, then in Virginia for the Baconian settlement, to "reduce Massachusetts to obedience."

Though Randolph took the lead in pressing for charter revocation and for the subsequent royalization of Massachusetts and other corporate and proprietary colonies, the idea, as we have seen, was not new. British agencies dealing with colonial affairs were even then working slowly but surely toward a more

effective enforcement of the trade laws, a tightening of colonial administration, and the royalization and consolidation of the colonies. In 1677 Randolph was sent back to America, this time as collector, surveyor, and searcher of the customs in New England. Shortly thereafter, William Dyer was appointed surveyor-general of customs for all the colonies. Another step was taken in 1679, when New Hampshire was made a royal colony. Two years later the Lords of Trade wrote the governor of Massachusetts, threatening his colony with *quo warranto* proceedings against its charter if agents were not sent to England at once. And, in the same year the charter of Pennsylvania placed that colony in a closer relationship to the crown than other provinces had been by providing that an agent be maintained in London, that its laws be submitted to the Privy Council, and that Parliament had the right to tax the colony. In 1682 the Lords of Trade refused to sanction the creation of a proprietary colony in the Florida area, because it was unwise "to constitute any new proprietaries in America or to grant any further powers that may render the plantations less dependent on the crown."

The Revocation of the Massachusetts Charter. Meanwhile, Massachusetts continued to evade the trade laws. Likewise, Randolph continued to make adverse reports about the colony and to press for charter revocation, even returning to England in 1683 to lend his personal support to its prosecution. When the Lords of Trade learned that the Massachusetts agents who had been chosen to defend the colony—but only after long delay—were instructed not to act on such matters as suffrage and religious liberty, it recommended the immediate issuance of a writ of *quo warranto* against the colony's charter. At this juncture Massachusetts decided to send a special agent to defend the charter in the Court of Chancery.⁹ When the case came before the court in 1684, he refused to plead, and the charter was declared vacated. Massachusetts thus became a royal colony.

Randolph had also recommended the revocation of all the proprietary and corporate charters. The personal friendship of William Penn, Lord Baltimore, and some of the Carolina proprietors with the king, plus the turn of events in England—the death of Charles II in 1685, Monmouth's Rebellion, and Argyll's expedition to Scotland—saved the charters of these "proprietaries" for the time being. Writs were issued, however, against the charters of Connecticut, Rhode Island, and the Jerseys.

The Dominion of New England. The revocation of the Massachusetts charter was only one phase of England's new policy, whose salient features were (1) the establishment of royal governments, (2) the consolidation of small and weak colonies into one or more large ones, and (3) the strengthening of the powers

⁹ Opinion in the colony was sharply divided on this action. The Puritan element advocated a vigorous defense, but many nonfreemen favored a transfer of the colony to the crown and petitioned to this effect. Things might have gone differently had the colony not been so seriously weakened in a number of ways by King Philip's War.

of the governors and the consequent lessening of the authority of the legislatures.

The first step in this new policy was to reject Increase Mather's request for restoration of the Massachusetts charter. Some new arrangement had to be made in Massachusetts. Next, the acute situation in New Hampshire had to be solved. A royal government had been established there in 1679, but the Mason heirs were still pressing their claims for quitrents, and Randolph continued his reports about wholesale evasions of trade laws by colonists in that province. Edward Cranfield, the second royal governor of New Hampshire, who was engaged in bitter controversies with his legislature, reported to England that the "council and chief inhabitants are part of the grand combination of Church members and Congregational assemblies throughout New England," that they were not loyal to the mother country, and "that plans were afoot to make the colony the center of illegal trade." Cranfield was so disgusted that he asked to be relieved of his post and "never be sent to New Hampshire again." Therefore, in line with the new policy, British authorities again united New Hampshire with the Bay Colony (1685), along with Maine, following a ruling by the British attorney-general that all ungranted lands in Maine had reverted to the crown with the revocation of the Massachusetts charter.

But the British leaders envisioned a still greater consolidation, which would include all of the New England colonies and eventually all the mainland provinces. Even some prominent colonists, like Joseph Dudley of Massachusetts, had advocated such a policy. It had been pointed out that a "dominion," including many or all of the colonies, would be advantageous to the mother country and to its own component parts. For example, it would enable England to exercise more unified and effective control, thereby checking "separatist tendencies" long in evidence. It would also provide more economical administration: one set of officials would be cheaper than six to twelve. A dominion would lead to a fuller and wiser development of colonial resources, and thus enable England to divert the different colonies, especially in New England, from manufacturing and from foreign trade. More effective checks on colonial legislation could be made, and the colonies would be prevented from working at cross-purposes. Anglicanism, as well as religious toleration, could be better stimulated. An improved and less expensive means of colonial defense could be devised, which would lead to a badly needed unified policy in regard to the Indians and to the growing power of France along the northern frontier. There can be no doubt that fear of France was a powerful motive for the creation of a consolidated government; many of the critics of the Dominion of New England damned it because it was "constructed on the French model."

Tentative plans for a consolidated government of New England were worked out in 1685, and "Bloody" Percy Kirke was chosen by Charles II to head it. But the death of the king later in the year caused an alteration of plans. The new ruler, James II, authorized Joseph Dudley, a native of Massachusetts and then its acting governor, to serve as "president," along with an appointive council of seventeen members, of the temporary government of the Bay Colony until revised plans for the Dominion were completed. The Dudley regime, which was

Sir Edmund Andros. (Courtesy of the Library of Congress)



also extended to New Hampshire, Plymouth, and Maine, functioned for about a year, under considerable difficulty.

Meantime, the new plans were worked out, and in December 1686 Sir Edmund Andros arrived in Boston to become "Governor-general of the Dominion of New England." Plymouth was quickly brought into the consolidation; she could not protest because she had never obtained royal sanction. Rhode Island, threatened with the abrogation of her charter if she did not submit peaceably, was taken in before the year was over. Connecticut, New York, and New Jersey were incorporated in 1687. New York was already the royal-proprietary of the king; New Jersey's questionable status prevented much opposition on her part. But Connecticut strenuously objected until she was threatened as Rhode Island had been. To show her opposition, she reportedly hid her charter in an oak tree.

Andros' royal commission gave him and his council the power to make ordinances, impose taxes and administer justice, investigate, confirm, or annul existing land grants, establish quitrents, and see that "liberty of conscience be allowed to all persons and that such specially as shall be conformable to the Church of England be particularly countenanced and encouraged." He was also to serve as commander-in-chief of the armed forces, including the "red coats" he brought with him. No provision was made for an elective assembly. Because the Dominion was too large an area for effective administration by Andros and his council alone, he appointed deputy- or lieutenant-governors, with smaller councils, for the outlying parts. The most prominent deputy was Francis Nicholson, who was placed in charge of New York.

Andros faced an almost impossible task in attempting to govern a people who had been so independent for so long. When he ordered the collection of taxes under the usual "country rate," there was mild complaint from those used to taxing themselves. When he imposed new taxes—poll, excise, and import duties—the inhabitants of some towns, particularly Ipswich under the leadership of the Reverend John Wise, refused to pay, saying that the levies were "inconsistent with the laws of the land."¹⁰ When petitions reached Andros asking him to call a representative assembly, he paid no heed. The governor, ably supported by Edward Randolph, the secretary of the Dominion, attacked the whole New England land system. He questioned land titles and declared that signatures of Indians on deeds were worth no more "than a scratch of a Bear's paw." Accordingly, he ordered the payment of quitrents, something utterly foreign to New Englanders.¹¹

His order of March 1689 prohibiting town meetings, except one a year for the election of selectmen and the assessment of taxes, evoked sharp criticism. His religious policy was also disturbing. Andros ordered that no one was to be married except by the Anglican service, and no one could teach school without his sanction. The use of Congregational churches, especially the Old South Meeting House in Boston, for Anglican services on alternate Sundays was particularly offensive to Puritans. It was also charged that the newly arrived British soldiers had begun to "teach the people to drink, blaspheme, curse, and damn." Another interesting complaint was that Andros had enforced the trade laws.

Thus, his regime offended taxpayers, landholders, churchmen, and merchants. As one writer has said, "No governor who was ordered to tear up a country's institutions by the roots" could be popular. But Andros did accomplish some worthwhile things. He held conferences with the Indians, improved frontier fortifications, and enforced the trade laws better than had been done before. These accomplishments were overlooked or minimized by the New Englanders. The hatred of "tyrant Andros" and of Randolph, "that evil genius of New England," steadily increased. As early as 1688 Increase Mather, president of Harvard, eluded Dominion authorities and escaped to England, where on five different occasions he presented to James II the grievances of New England against Andros and arguments for the restoration of the old charter. Although this mission failed, because of the king's hostility toward the Bay Colony, unexpected relief came from another source—the forced abdication of James II and the accession of William and Mary to the throne.

The Glorious Revolution in England. James II was extremely unpopular with many Englishmen for numerous reasons: his belief in the divine right of kings, his hostility to Parliament, his exercise of arbitrary, if not illegal, powers, his domination of the courts, his inhumane treatment of his enemies, and, last

¹⁰ Wise was fined £10 and costs for this offense; four other Ipswich citizens were fined and disqualified from office.

¹¹ Despite the attacks by Andros, only twenty "amended grants" were approved during his regime.

but by no means least, his Catholicism and his open animosity to the Anglican Church. Most Englishmen, however, were willing to endure his hated reign because they looked forward to a Protestant succession to the throne in the person of James's older daughter, Mary, a Protestant and the wife of William of Orange, likewise a Protestant and the Stadholder of Holland.

These hopes seemed shattered after James's second wife, a Catholic, gave birth to a son on June 10, 1688. This child would not only be the next ruler, but would be reared a Catholic. This was more than the English Protestants could stand; through a similarly antagonistic Parliament, an invitation was sent to William and Mary to assume the throne. They accepted and reached England in November. James, without local support, abdicated the throne the next month. A Convention-Parliament was then assembled, which declared the throne vacant, and in February 1689 it was formally offered to William and Mary. Thus, the "Glorious" or "Bloodless Revolution" of 1688-1689 was easily accomplished.

The Glorious Revolution in the Colonies. During this revolution in England, there was unrest and discontent in all of the English colonies from Maine to Carolina. The progress of William and Mary was watched with interest, and their success hailed with rejoicing. New England reacted quickly to the news. Governor Andros had promptly announced the birth of James's son and declared him to be heir apparent to the throne. When he tried, however, to suppress information about the English revolt, rumors spread that he did not intend to recognize the new rulers, but would either try to hold New England in the name of the deposed James II or make himself a ruler independent of the mother country.¹² In early April 1689 Andros wrote, "There's a general buzzing among the people, great with expectation of their old charter, or they know not what." He hoped, nevertheless, that the civil officers would continue to perform their duties and that the soldiers "be kept in readiness for any emergency."

That emergency came on April 18, when the "insurgents" of Boston rose, seized and jailed Andros, Randolph, and a few other Dominion officers, captured the fort in Boston harbor, and issued a "Manifesto," probably written by Cotton Mather, which was read to the assembled crowd. This document was a scathing indictment of the Andros regime and its "misgovernment," and included the unfounded rumor of a "popish plot" and an alliance with the French. It concluded with the statement:

We have been quiet, hitherto, but now the Lord has prospered the undertaking of the prince of Orange, we think we should follow his example. We, therefore, seize the vile persons who oppressed us.

Two days later a "Council for the Safety and Conservation of the Peace" was created. This body called a convention, which met the next month and restored

¹² Actually, Andros was away from Boston at the time and was late in receiving the "official" statement of the accession of William and Mary.

the old charter government, proclaimed William and Mary, and pledged the colony's allegiance to them. In June delegates to the General Court were elected.

In England, too, Increase Mather was pleading personally with the new monarchs for the restoration of the old charter. He probably convinced them that Andros should be recalled—a recognition of a *fait accompli*—but he could not persuade them to restore the charter. To do this and to allow Massachusetts to resume its semi-independent status would have reversed the program that English administrators had been advocating for at least two decades. There was still strong support for a "dominion," and the Lords of Trade recommended "the settlement of such a government in New England, New York, and the Jerseys as upon the recall of Sir Edmund Andros, will enable the people not only to oppose the French with their united forces but to carry on other operations; otherwise the French may easily possess themselves of that dominion."

On the other hand, William and Mary could not severely punish Massachusetts for its recent actions that were so similar to the events in England that had placed the new rulers on the throne. Finally a compromise was effected in October 1691 by granting Massachusetts a new charter. Under this document the governor was to be appointed by the crown, but the council, instead of being appointed as in other royal colonies, was to be chosen by the elective lower house.¹³ Henceforth, the representatives were to be elected by voters on a property rather than a religious basis, and appeals from the local court to the "king in council" were authorized. The charter also extended the boundaries of Massachusetts to include Maine and Plymouth, a concession to the advocates of consolidation, as well as a move toward better defense against the French.

Both Connecticut and Rhode Island took immediate advantage of the Glorious Revolution in Massachusetts to re-establish their old charter forms of government. When the validity of these actions was questioned, the opinion of the British attorney-general was sought. He concluded that, as neither colony had been legally deprived of its charter, each was entitled to operate again under it.¹⁴

Leisler's Rebellion. In New York, where Francis Nicholson ruled as Andros' deputy, popular feeling was even more bitter than in New England, and needed only a dramatic incident and a leader to set off a revolt. The majority of "Yorkers" were unhappy because of their failure to obtain representative government under James II, either as duke or king, and they had long-standing grievances against the large landholders and wealthy merchants, who ran the government in their own interests. The events of 1689—the Glorious Revolution, the outbreak of an Anglo-French war, the seizure of Andros, the widespread rumors of

¹³ The first council under this new charter was named by the crown; thereafter, it was elected.

¹⁴ The opinion concerning Connecticut was handed down in August 1690; for Rhode Island, in December 1693. Both of these charters continued in operation until after the American Revolution.

a "popish plot,"¹⁵ local Dutch support "of that Love and affection for the royal house of Nassau, which is natural to the Dutch nation," and fears of French and Indian attacks—set the stage for a popular uprising.

When Governor Nicholson hesitated to proclaim William and Mary, because he had no official orders to do so, the inhabitants of some Long Island towns, as well as residents in Suffolk, Queen's, and Westchester counties, replaced royal officials with men of their own choosing. In May the false rumor was circulated that Nicholson planned to burn New York City and that the people of the province were to be "sold, betrayed, and murdered."¹⁶ This was the last straw. Under the leadership of Jacob Leisler, the people rose in revolt against the Nicholson government. Leisler had come to New York from Frankfort, Germany, in 1660. He had been successful as a merchant and wine importer, and by marriage into a prominent Dutch family he had added to his wealth and prestige. Nevertheless, he remained sympathetic with the poorer classes and was considered a "man of the people." His enemies—and some modern writers—called him a "fanatical German" and the "leader of a mob and rabble."

On May 31, 1689, Leisler, with about five hundred armed followers, seized Fort James. When Nicholson fled to England two weeks later to report to his superiors about the turn of events, Leisler was left in control of New York City. With Nicholson gone, the leadership of the aristocratic party passed to Nicholas Bayard, a wealthy landowner, a member of the governor's council, and a nephew of the last Dutch governor, Peter Stuyvesant.¹⁷ Nicholson, on departing for England, had left the government in the hands of a "council" consisting of Bayard, Phillips, and Cortland. Leisler, however, disregarded the authority of "Popishly affected, Dogs and Rogues," and called a convention attended by delegates from seven counties, which appointed him "captain of the fort and commander-in-chief of the province." One of Leisler's first acts under this authority was to proclaim William and Mary on June 12. The Nicholson council of three also did so. Then days later Leisler set up a "Committee of Public Safety," and the following month a legislature convened, though Suffolk, Ulster, and Albany counties refused to send delegates.

In December 1689 official orders finally arrived from King William authorizing Nicholson or, in his absence, "such as for the time being take care for preserving the peace and administering the laws," to govern the province. Leisler seized this dispatch, claiming it applied to him. Albany refused to recognize his authority until February 1690, when the destruction of nearby Schenectady by the French and Indians caused the inhabitants to fall in line.

¹⁵ This plot was supposed to be headed by Thomas Dongan, former governor and a Catholic, who still resided in New York. It should be noted that Nicholson was an Anglican.

¹⁶ Nicholson had made the rash statement that "I would rather see the city on fire than commanded by an impudent fellow like him," probably meaning Leisler.

¹⁷ Perhaps the majority of Leisler's supporters were small landowners and town artisans, but a number of aristocratic families, such as the Lodwycks, De Peysters, and DeLanceys, supported him. In fact, "families, churches, and neighborhoods were divided against each other—a division not altogether determined by class, race, or religion."

For more than a year Leisler ruled the province. Despite the accounts of some historians, who have relied largely on the contemporary writings of Bayard and other anti-Leislerians, this was not a time of "mob rule." Leisler held meetings of an elected legislature, the first in New York history. He conducted the government efficiently, raised money, commissioned officers, set up courts, fortified New York City, took up arms against the Indians,¹⁸ established a vice-admiralty court, and issued letters of marque and reprisal to privateers. Two laws of the 1690 legislature were of particular significance: a tax of three pence per pound value on real and personal property, and the abolition of New York City's hated monopoly of bolting flour.

Soon after the Lords of Trade heard of the New York revolt, they recommended that a new governor be appointed at once and that troops be sent to suppress the uprising. Henry Sloughter was named governor, but various delays prevented him from reaching New York until March 1691. Meantime, Major Robert Ingoldsby had arrived with two regiments of troops. Although Leisler refused to surrender the fort or city, Ingoldsby seized the fort two days before Sloughter's arrival.

Leisler quickly surrendered to the new governor, and the situation seemed peaceful. Sloughter, however, listened to the Bayard faction's accusations of treachery against Leisler and had him arrested, along with many of his lieutenants. The "rebels" were tried, found guilty of treason, and most of them sentenced to death. Only Leisler and his son-in-law, Jacob Milburne, were actually executed. In a dramatic speech from the scaffold, Leisler said:

We had not other [intent] than to maintaine against Popery or any Schism or heresy the intent of our Sovereign Lord and Lady that now is and the reformed Protestant Churches in these parts.

Perhaps Leisler was guilty of treason, but he was no more deserving of death than were the leaders of the insurrections in England, Massachusetts, or Maryland. He was the victim of local politics in New York, for the aristocrats were fearful lest success of a "class struggle" end their own special privileges.¹⁹

William and Mary realized that a basic cause for the unrest in New York was the absence of representative government. Were the old system revived, the loyalty of the province, so necessary in time of war, could not be assured. Consequently, Sloughter's commission authorized him to call an assembly, which convened shortly after the governor's arrival. Thus, at long last, the Yorkers had won the fight for a representative legislature.

¹⁸ Leisler's interest in intercolonial cooperation against the French and Indians was shown by a convention at Albany in 1690, attended by delegates from three New England colonies, to prepare a land-sea operation against Canada. Unfortunately, the expedition failed.

¹⁹ Leisler has been called the first democratic martyr in America. His rebellion set the stage for an early development of political parties in New York. For several decades the mutual hatred of radicals and conservatives gave to New York politics a "peculiarly venomous character." In fact, there were "echoes of this aristocratic-democratic rivalry" as late as the American Revolution.

In 1692, the proprietors of New Jersey resumed their control, thus completing the downfall of the consolidated government known as the Dominion of New England.

The Glorious Revolution in the Proprietary Colonies. Also in line with the new policy, in April 1689 the Lords of Trade, acting on the request of the king and Privy Council, recommended that proprietary provinces "be made more immediately dependent on the Crown," in order "to provide for the defence of the colonial possessions against the enemy." Although every colony received orders to proclaim William and Mary, special mandates were sent to William Penn and Lord Baltimore, both of whom were under suspicion because of their personal friendship with James II and their apparent indifference to the Anglo-French war. Both proprietors pledged their loyalty, but the agent who was dispatched to deliver this message to the Pennsylvania and Maryland governors died before he could sail from England. The resulting failure to comply promptly with royal orders further increased suspicions of the two proprietors and prompted the king to forfeit the charter of each colony. Though Penn and Baltimore were allowed to retain their titles to the soil, the governments passed into the hands of the crown. Penn's appointive governor was replaced by a royal one, Benjamin Fletcher. In 1694, however, Penn renewed his pledge of loyalty to William and Mary, thereby regaining full rights to his province. Pennsylvania remained under proprietary control of the Penn family until the American Revolution.

Coode's Rebellion in Maryland. The situation in Maryland was much more difficult, complicated, and bitter. The majority of its inhabitants were small landowners, servants, and Protestants, who had long been unhappy about what they considered maladministration of a government controlled by large landowners, many of whom were Catholic, and some of whom were relatives of Lord Baltimore. In particular, they complained about absentee landlordism and quitrents, excessive taxes and fees, low prices of tobacco, the unrepresentative character of the legislature, property qualifications for voting, and the "unlawful arrests" of Protestants by Catholic officials.

When Lord Baltimore hesitated to proclaim William and Mary, popular discontent mounted, and the fury of the people increased as rumors spread that the colony was soon to be attacked by French and Indians, and that Baltimore planned to make Maryland a Catholic colony by force. The revolution in England, which drove a Catholic from the throne, gave the Maryland malcontents a precedent and an example for revolutionary action of their own.

In April 1689 the "Protestant Association" was formed, under the leadership of John (Jack) Coode, Henry Jowles, Kenelm Cheseldyne, Nehemiah Blakiston, and several others.²⁰ Their avowed purpose was to proclaim the new sovereigns

²⁰ Coode, formerly an Anglican minister, was a planter and politician; Jowles, a colonel in the militia and member of the assembly; Cheseldyne, speaker of the last assembly; Blakiston, collector of the customs and a brother-in-law of Coode.

and to defend the Protestant religion, but their real objective was probably to gain control of the Maryland government. In July, Coode, with about 250 men, chiefly from Charles County, seized the capital of St. Mary's and forced Governor William Joseph and his council to agree to terms of "surrender." The next month the Protestant Association called a legislature into session, which proclaimed William and Mary, petitioned the crown to assume control of the province, and elected Blakiston to serve as temporary "president."

In November 1689 the Association published its "Declaration of the Reasons and Motives for the present Appearing in Arms." This document emphasized the evils in the customs service, the conversion of churches and chapels "to use of Popish Idolatry and Superstition," unrepresentative government, excessive taxes and fees, unlawful arrest of Protestants, and the "private and public outrages and murders committed by Papists upon Protestants." It declared:

We are every day threatened with the Loss of our Lives, Liberties, and Estates, of which we have great Reason to think our selves in Imminent Danger, by the Practices and Machinations that are on foot to betray us to the French, Northern, and other Indians.

Maryland's government was dominated by the Protestant Association for almost two years, but it was never a satisfactory arrangement. In 1691 the province was royalized with the appointment of Sir Lionel Copley as governor. The conversion of Benedict Calvert, fourth Lord Baltimore, to Protestantism, and his loyal support of George I led to complete restoration of the 1632 charter in 1715, and Maryland remained a proprietary province until 1776.

Unrest in Carolina. There was a revolt in North Carolina in 1689, but it had no apparent connection with either the Glorious Revolution in England or the uprisings in the colonies to the northward. Nor did it have any of the religious aspects of those revolutions. The two decades preceding 1689 had been years of poverty, discontent, disorder, lawlessness, and armed rebellion, largely because of the negligence of the proprietors themselves and the weakness and inefficiency of the government they had established. The factional fight between the proprietary party and the antiproprietary party reached a dramatic climax in Culpeper's Rebellion in 1677. It subsided but did not disappear for a decade, and then burst forth with new fury under the governorship of Seth Sothel, whose character and conduct taxed the patience of the people and led to his arrest and banishment in 1689. No question was raised about the province's allegiance to William and Mary, and there was no demand for transfer of the colony to the crown.

South Carolina was also in commotion at this time, but there the "revolution" was against particular proprietary governors, especially James Colleton and Seth Sothel, rather than against proprietary rule as such. The removal of these two arbitrary governors and the appointment of more capable and efficient men restored harmony and postponed any popular movement for royalization—if there had been one—for two decades.

BRITISH POLICIES AND PROBLEMS, 1689-1740

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The Glorious Revolution of 1689 was an important landmark in the history of England because it ended the theory of divine right of kings and began that of Parliamentary supremacy. The accession of William and Mary ushered in a diplomatic revolution and the beginning of a long series of wars with France. And, finally, with the passage of the Navigation Act of 1696 and the establishment of the Board of Trade, a new era in both imperial and colonial policies was initiated, with Parliament assuming a dominant role in the formulation of both. Furthermore, the elected branches of colonial legislatures, claiming the same rights and privileges as the now more powerful House of Commons, began to emerge as the most important element in colonial government.

The Bill of Rights. The Glorious Revolution in England did not end with the overthrow of James II and the coronation of William (III) and Mary. Parliament, anxious to maintain its dominant position, passed a series of measures in that momentous year of 1689 to safeguard further its assumed rights and, to some degree, those of its constituents. The most notable was the Declaration of Rights, more popularly called the Bill of Rights. First of all, English rulers must belong to the Anglican Church, thereby barring from the throne Catholic descendants of James II. In addition, future kings could no longer suspend any laws or give special dispensation to any subjects to disobey any laws. Nor could rulers levy taxes or maintain an army without Parliamentary approval. Parliament must meet frequently, and there must be free elections of its members, who were entitled to freedom of speech within the legislature. The right of every subject to petition his sovereign must not be denied, and in legal cases impartial juries must be chosen.

The second measure of importance was the Mutiny Act, which originated the Parliamentary practice of voting army appropriations for but one year at a time. Thus, if Parliament did not meet every year to pass a new mutiny act, the troops, remaining unpaid, could not be tried by courts martial if they mutinied. The third law, the Toleration Act, granted religious freedom to virtually all Protestant dissenters, but not to Catholics and Jews.

Thus, the ramifications of the Glorious Revolution in England were many. English sovereigns thereafter ruled through the will of Parliament, not as divine right absolutists. Parliament became the real source of authority within the kingdom and the growing empire. As far as America was concerned, Parliament assumed an increasing interest in colonial affairs—governmental, economic, and military. And the Protestant character of the nation was assured.

The Reign of William and Mary. William and Mary—especially William—were much more concerned with weakening the power of France and safeguarding William's native Holland than with managing England's domestic or imperial affairs. The king realized he owed his position to Parliament, rather than to normal succession, and from Parliament he must obtain the money for the troops he needed to defend his native land from French encroachment. Therefore, Parliament, through its leaders or ministers, operated virtually as it pleased. And when those leaders were of the same party as the majority in the House of Commons, affairs seemed to proceed in smoother fashion. Thus, the cabinet system began to evolve. Charles II, it is true, had relied for advice upon a small group of privy councilors who met in his office, or cabinet, but this version of cabinet government had never been popular. Now, in the form it took under William III, it did strike a popular chord, in line with the theory of Parliamentary supremacy instituted in the Glorious Revolution.

The numerous Parliaments, or more especially the Houses of Commons, which were elected for decades after the Glorious Revolution, were dominated by two important groups: the wealthy landowners, consisting of both nobility and country squires; and the prominent, and also wealthy, merchants, manufacturers, and shippers. These two elements had much in common: desire for political control, the wish for more wealth, and frequent kinship through intermarriage, which promoted greater political and economic strength.

Combined with political and economic power was the social prestige these groups enjoyed. Part of this prestige stemmed from long-established custom. Tenant farmers and agricultural workers on large estates regarded the nobility and gentry as their social superiors, to whom was due all deference. With the rise of cities, industrial workers viewed with similar respect their wealthy employers. An additional factor in the prominence accorded the varied political, capitalistic, and social leaders was the part they played in the Glorious Revolution. Moreover, the "unreformed" House of Commons¹ gave the upper classes political influence all out of proportion to their numbers.

Politically, however, the dominant oligarchy had differences of opinion. The Tories, who had come into being during the reign of Charles II and were successors to the earlier court party, were firm believers in Anglican supremacy, in royal domination, and in an economy basically agricultural. Though they had helped to make possible the Glorious Revolution, the popular view was that the Whigs were primarily responsible. The Whigs had succeeded the country party

and believed more strongly in the supremacy of Parliament, greater religious freedom for dissenting Protestants, and an industrial, mercantile economy. Despite their original differences, Whigs and Tories after 1689 were primarily at odds over the spoils of office. In the main, William naturally relied more on the Whigs to support his position.

The Bank of England. An important event under William was the establishment of the Bank of England in 1694, principally as a means of obtaining speedy credit. This bank, under its charter, had numerous functions. It could deal with private individuals as well as with the government, it could borrow money, and it could issue notes. Through the bank, Parliament, by guaranteeing interest at current rates, could obtain virtually unlimited credit. Thus, the legislature, rather than the king, determined the fiscal policy of the nation, for only through Parliamentary action could such credit be obtained. And the men of substance in Parliament were loath to grant future kings the same freedom with national funds that the Stuarts had enjoyed.

Another important measure was the Act of Settlement in 1701, which again denied the throne to the Catholic descendants of James II. Instead, the law stated that the next in line to the childless William III (Mary had died in 1694) would be Mary's sister, Anne. If Anne also died without heirs, the crown would go to the descendants of the daughter of James I.

The Rivalry Between England and France. The year 1689 also marked important changes in England's foreign policy as a result of the Glorious Revolution. During the reigns of Charles II and James II there had been close accord with France, partly as a result of mutual animosity toward Holland, and partly because of the sympathy of the last two Stuart kings for Catholicism. Indeed, Charles II was practically a pensioner of Louis XIV.

The new English rulers, William and Mary, were Protestant, and William, Stadholder of Holland, feared that Louis' aggressive moves on the Continent might not only destroy the balance of power, but lead to French conquest of his native land. Unlike his two royal predecessors, he had no love for France. Moreover, the English people were becoming concerned over the energy and initiative that had been shown by Jean Baptiste Colbert, one of the chief ministers of the French king, who had built up the French navy, improved her merchant marine, taken a more lively interest in her colonial empire, and developed the colonial fur trade. English public opinion was coming to the conclusion that the major enemy, both economically and otherwise, was destined to be France, not Holland. And to cap everything, Louis would not recognize William and Mary; he was conspiring instead to restore James II to the throne.

Consequently, when Louis planned to reach France's natural boundary of the Rhine, he was immediately opposed by a loose confederation of small German states and the Netherlands known as the League of Augsburg. In 1689 the controversy broke out into open conflict, the War of the Rhenish Palatinate or League of Augsburg. William and Mary promptly brought their nation into the

struggle on the side of Holland and against France, thereby producing a diplomatic revolution. Thus began a series of wars that lasted until 1815. In these contests England and France were the major opponents, although most of the other nations of Europe were involved at one time or another, but not always on the same side. The wars also spread to America and at times to India.

Hostility in America. The rivalry was not limited to Europe, for in America, too, a distinct hostility had been developing between the respective colonists of England and France. By 1689 this animosity had broken out into virtually open warfare, especially from Newfoundland to the Great Lakes, where the rivals were in closest contact. Contributing to this militant attitude was the struggle for control of the fur trade, not only along the New York frontier, but in the Hudson's Bay area as well. Closely associated with this trade were the Indian alliances. The Algonquin, consisting of a number of tribes whose power extended from Acadia to the Great Lakes, were friendly to the French. The Iroquois, largely in central New York, had cast their lot with the English, although these Five—later Six—Nations were not such reliable allies to the English as the Algonquin were to the French. Even before the Europeans had arrived in America, these two Indian groups had long been mutually antagonistic.

The two colonial rivals differed in their methods and objectives of settlement. Generally speaking, the French, except in the vicinity of Quebec and Montreal, used New France as a producer of furs, not of agricultural products. Most of the French colonists were frontiersmen—*voyageurs*—and fur traders, who lived side by side “with the dusky brood in the American wilderness.” They made little effort to settle on the land, to develop farms, to destroy the forests, or to interfere with the natives. The English colonists, on the other hand, arrived primarily to establish homes, to grow crops, and to develop industries. To do so meant conquering the wilderness, and Indians and forests were obstacles that had to be pushed back or destroyed. This led to slow but sure expansion, which antagonized most of the Indian tribes and brought the English settlers into closer contact with the roaming French, who were, on the surface at least, wholly Catholic. These differences meant a great deal in those days of bigotry.

As the sources of mutual animosity deepened, the English apparently had substantial advantages. In population they numbered more than two hundred thousand, compared with the twelve thousand French colonists. They had much more wealth, and their trade and commerce were more extensively developed and diversified. But these advantages were offset by the centralized French colonial administration and more competent local leadership, headed by such men as Count Frontenac and LeMoyne d'Iberville. The English colonies were by no means united, and further disruption resulted from British efforts to consolidate some of them into the Dominion of New England, which was vigorously opposed in America. Moreover, the English numerical superiority was misleading, for the twelve thousand French were primarily military men who knew the country well. Yet, the French did not have the incentive of protecting their homes. The ~~of New France~~ were not sufficient for large-scale or long-drawn-out

wars, and its inhabitants had to rely more on the mother country, which did give more assistance than England gave her own American plantations.

This hostility in America undoubtedly would have led to open and formal warfare sooner or later. What speeded up the strife was the fact that the respective mother countries came to blows over matters European in origin.

King William's War. Even before England and France exchanged blows, a parallel conflict had started in America, known as King William's War. The chief trouble spot was Acadia, or Nova Scotia, which had changed hands several times during the seventeenth century. Since the Treaty of Breda (1667) it had been under French control, but failure to define its boundaries led to controversies with New England, which claimed the Penobscot area. In 1688 Governor Andros of the Dominion of New England promoted an attack against the French post at Penobscot, accompanied by widespread plundering. In retaliation the French aroused the Abenaki Indians to open a series of destructive raids on New England communities.

After the formal opening of hostilities, the French and their Indian allies made the first important attack against Schenectady, New York, which was virtually destroyed in February 1690. The objective was to end the English advance into the Mohawk region, as well as to control the lucrative fur trade in upper New York and throw fear into the hearts of the Iroquois by this show of strength. Subsequent raids in the next few years were made upon Salmon Falls and Durham in New Hampshire, Falmouth and Wells in Maine, and Haverhill, Massachusetts.

The most notable English campaign was the attack on Port Royal, a French stronghold in Acadia. To the New Englanders it represented not only a menace to their fisheries, but also a propaganda center to stir up the warlike Abenaki. In May 1690 some 450 troops, principally from Massachusetts and under the able leadership of Sir William Phips, went by sea to reduce the fort quickly, helped in part by the fact that only sixty French troops were on hand to defend it. The inhabitants of the neighborhood were then compelled to take an oath of allegiance to Great Britain. Phips, however, made the mistake of leaving too small a garrison in the captured fort. Consequently, the following year it once again fell into French hands, where it remained.

While Phips was leading the attack on Port Royal, the English colonists showed a degree of cooperation elsewhere when representatives from Massachusetts, Connecticut, Plymouth, and New York met at Albany on May 1, 1690. Concluding that no military assistance could be expected from the mother country, they determined to defend themselves. They planned a joint invasion of Canada by armies from New York and New England, supplemented by a naval force, consisting mainly of fishing craft and merchantmen, to penetrate the St. Lawrence. When it came time to put the strategy into operation during the following summer, everything went amiss. Trouble over leadership, lack of promised manpower, scarcity of food, prevalence of disease, and absence of cooperation combined to bring conspicuous failure. Only the naval expedition

reached its goal, but much too late and without adequate strength to accomplish anything.

England, worried about the state of affairs in America, then made requisitions for men and money upon the colonies from Virginia northward. Only New England and New York responded to the manpower appeal, but even they did not furnish what was asked. Virginia and Maryland eventually did appropriate some money, but again not as much as was sought. The poor colonial responses to the requisition system were to be characteristic throughout the remaining intercolonial struggles; they were indicative of the lack of cooperation among the colonies themselves and with the mother country. Only in the face of immediate danger did the individual colonies act.

The French, under the able leadership of the Count de Frontenac and LeMoigne d'Iberville, subsequently overran all of Newfoundland. As part of their campaign, they destroyed the strong Fort William Henry at Pemaquid (1696), which the New Englanders had industriously built and paid for in 1692. In the Hudson's Bay region Iberville drove the English traders from their factories along the Severn and the Hayes in 1690 and 1694 respectively. These accomplishments were somewhat offset by English conquests in the vicinity of James Bay.

In the long run, King William's War proved inconclusive. Yet, the Iroquois were badly beaten in the French raids and started to question whether they had made the proper alliance. And the English colonists, though hating the French, were generally uncooperative. The inclination was strong to let the other colonies or the mother country do most of the job of defeating the enemy. This spirit grew in proportion to the distance from the scene of actual hostilities.

The mother countries likewise were making no progress in Europe. Accordingly, on September 30, 1697, they signed the Treaty of Ryswick, which provided for the return of all captured territory—a *status quo ante bellum*. As far as America was concerned, this was a just solution, considering the lack of military advantages or accomplishments by either side. But the treaty did nothing to relieve the enmity between the two colonial rivals, or to settle problems arising from that enmity. A minor agreement provided for a study of the Hudson's Bay dispute. The commissioners appointed for this task could find no solution and disbanded in 1699.

In the years immediately following, France started to feel concern about possible English penetration of the area west of the Appalachians. Therefore, she began to build more posts, forts, and missions in that region. In 1699 a religious mission was established at Cahokia (about the site of the present East St. Louis, Illinois) in the Illinois Country, and another in 1703 at the confluence of the Kaskaskia and the Mississippi. Forts were also constructed at strategic points: Michillimackinac in 1700, and Detroit the following year. The wandering Iberville turned his attention to the south, where he built Fort Maurepas on Biloxi Bay in 1699. Three years later, however, the garrison was moved to Fort St. Louis, the virtual beginning of Mobile.

Queen Anne. Queen Anne came to the throne in 1702, and immediately attempted to assert more royal authority than her brother-in-law had done. She favored the Tories and selected members of that party for her cabinet, despite the fact that there was usually a Whig majority in Commons. Furthermore, she made frequent use of the royal veto to prevent passage of measures she opposed. Incidentally, she was the last English sovereign to do so.

Anne was not popular and, considering her autocratic ways, might have suffered the same fate as her father had not several factors worked in her favor. The Act of Settlement was one; the people realized that the throne would eventually pass to other hands. The Act of Union in 1707 was another. Under it the kingdom of Great Britain was at last established when Scotland, after long controversies with England, was brought into the fold. Thereafter, Scotland no longer had a separate sovereign. It was represented in both Houses of Parliament and came under the mercantile system. To the English people, these were wise moves, for they ended many political, economic, and religious disturbances. Nevertheless, Scotland, under the act, continued to maintain Presbyterianism as its state faith. The third factor was the war with France, culminating in the successful Treaty of Utrecht in 1713, which brought greater possessions and prestige to the English nation.

Queen Anne's War. When Charles II of Spain died without heirs in November 1700, Louis XIV of France succeeded in placing his own young grandson, Philip of Anjou, on the Spanish throne. This action brought immediate worry to several European countries, notably England, lest some day the two thrones be united to destroy the balance of power. To thwart such a union of Bourbon interests, the Grand Alliance of England, the Netherlands, and Austria, formed in September 1701, declared war on France in May 1702, to open the War of the Spanish Succession. Because the respective mother countries were now fighting, and because the Treaty of Ryswick had not settled the controversies between the English and French colonies, the contest spread to America as Queen Anne's War.

This war was more actively and widely fought in America than the previous struggle had been. Hostilities along the Acadia-New England border began in somewhat the same pattern. The Abenaki, stimulated by the French, staged a series of raids that brought death and destruction to numerous New England settlements, such as Saco and Fort Casco in Maine and Reading, Sudbury, and Deerfield, Massachusetts, in 1703 and 1704. The Deerfield massacre was the most severe.

In an effort to stem these attacks, some five hundred New Englanders under Colonel Benjamin Church successfully attacked Minas and Beaubassin in Acadia in July 1704. Thus, a principal source of supplies for the Abenaki was destroyed, and French control over the fisheries was weakened. Thereafter, Indian attacks dwindled; the only important one was against Winter Harbor, Maine, in the fall of 1707.

Colonel Church in 1704 and John March in 1707 failed to capture the strengthened Port Royal. On the other hand, the French were able to extend their domination in Newfoundland by destroying Bonavista in the summer of 1704 and by capturing St. Johns just before Christmas, 1708. The New Englanders redoubled their efforts. A third expedition, a joint operation of Colonels Francis Nicholson and Samuel Vetch in command of some fifteen hundred colonists, and Sir Charles Hobby at the head of a British fleet, finally compelled the surrender of Port Royal in October 1710. This feat marked the end of French control in Acadia, and the English renamed the captured post Annapolis Royal.

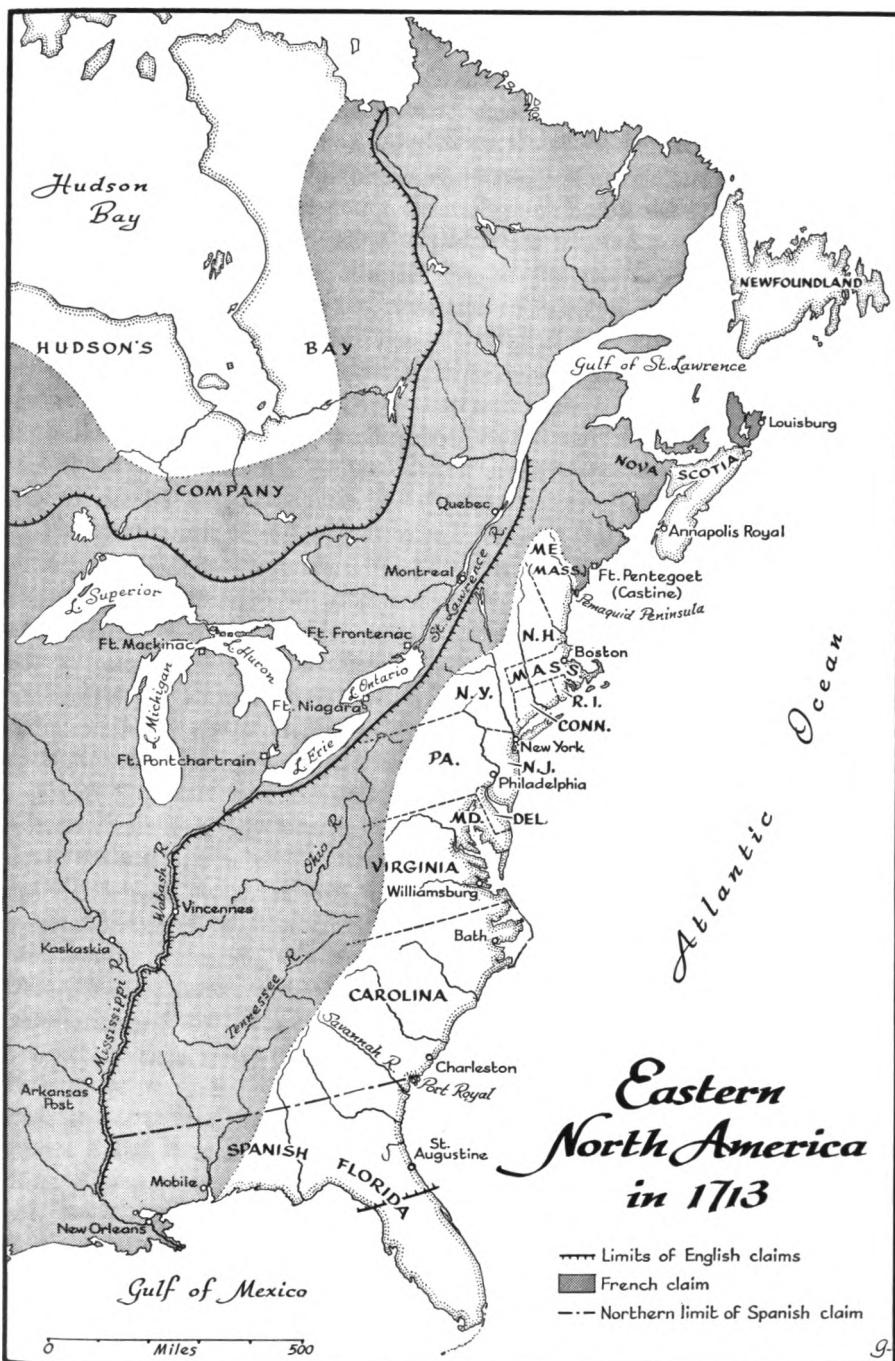
The English colonists were equally eager to attack both Montreal and Quebec. In 1709 the British promised to give them all the assistance they needed. Both Nicholson and Vetch had the strategy well planned, only to learn that the expected British fleet had been sent to the aid of Portugal instead. Hence, the campaign had to be abandoned. The following year a new group of leaders in England realized the potential advantages to the empire of winning the war on all fronts. Therefore, Admiral Hovenden Walker and General John Hill were dispatched with a large naval and military complement to attack the two Canadian strongholds. But once more colonial hopes were doomed to failure. Ten of the ships, carrying about a thousand men, were wrecked off Anticosti Island in August 1711, and the remainder returned home.

There was comparative quiet along the New York border during this war. The Iroquois were still feeling the effects of hard fighting during King William's War and were unhappy about the failure of their English allies to develop an effective defense. In 1701 the Indians made a peace treaty with the French, who respected it throughout Queen Anne's War by not staging another series of frontier attacks in the New York area. Lord Cornbury, governor of New York, reciprocated by refusing to send assistance to his New England neighbors despite the hardships they were facing.

In the Southern colonies there was some fighting. An expedition of five hundred colonists and Indians was authorized by the South Carolina Assembly in September 1702 to subdue St. Augustine before it could obtain reinforcements from the French. The town was pillaged and burned by the attackers in December, but the Spaniards, who were brought into the war by the French, were able to defend the fort itself. Two years later James Moore of Carolina led another expedition of colonists and Indians against the Spaniards. Thirteen missions were destroyed in the Apalache country, but the Choctaw, angered by English territorial advances, were strong enough to prevent English invasion of the Gulf district.

On the other hand, Charleston, South Carolina, was attacked by a Franco-Spanish fleet in late August 1706. For a time it appeared that the town would fall because the inhabitants were weakened by a yellow fever epidemic. The local militia, however, aided by neighboring fighting men, ably rallied to the defense of their homes and defeated the enemy landing party with heavy losses. Encouraged by this success, the Carolinians then went on the offensive, gathered

"... their own and compelled the Franco-Spanish fleet to evacuate



the harbor. Several days later a single French man-of-war, unaware of what had happened, sailed in to join its comrades. The enthusiastic Charlestonians found it easy prey, and took some two hundred prisoners.

The West Indies also were the scene of several battles. The British captured the island of St. Christopher (St. Kitts) in 1702, but failed the following year to seize the valuable sugar island of Guadeloupe. Moreover, Admiral John Benbow was unable to drive his French and Spanish opponents from the Caribbean or Gulf areas. After 1704 most of the fighting in Caribbean waters was done by privateers. These actions seriously injured English colonial trade.

Throughout this war the colonies again showed a conspicuous disinclination to cooperate. Outside of New England, and possibly Carolina, there was little effort to raise troops for a common cause. Only when danger threatened was anything tangible done to appropriate money or levy men. The requisition system was no more effective than it had been in King William's War. An unusual feature was evidence of conscription and the hiring of substitutes. One Moses Levy of New York paid a certain George Jewell to "goe and serve in the Room and Stead of him the said Moses at Albany in the quality of a souldier."

European operations having gone well for the members of the Grand Alliance, France and Spain opened truce negotiations in 1711. By October 1712 English colonial governors had received the news that an armistice had been arranged. The outcome was the Treaty of Utrecht in 1713, which marked the beginning of the expulsion of the French from North America, as well as the beginning of American diplomatic history. England obtained Newfoundland, Acadia, the region around Hudson's Bay, and St. Christopher. Unfortunately, no definite boundaries were set down for either Acadia or Hudson's Bay; for example, the treaty clause stated that "all Nova Scotia with its ancient boundaries" would become British. This indefinite arrangement was to lead to much trouble in the future. The French retained Cape Breton Island, as well as other islands at the mouth of the St. Lawrence, and Britain allowed French fishermen to dry their catches along certain parts of the Newfoundland coast. French residents of territory that changed hands were privileged to exercise the Catholic faith as far as British laws allowed. The French also admitted English control over the Iroquois, and each signatory promised not to interfere with the Indians under the other's jurisdiction.

From Spain, England obtained Gibraltar and Minorca, as well as the Asiento, an agreement whereby the recently formed South Sea Company could send a maximum of forty-eight hundred Negro slaves a year for thirty years to Spanish America. England could send one five-hundred-ton ship a year to trade with the Spanish colonies, and she obtained a depot along the Rio de la Plata. In addition, Spain promised not to transfer any of her New World possessions to any other power.

The House of Hanover. When Queen Anne died without heirs in 1714, the Stuart dynasty came to an end. In accordance with the Act of Settlement, the royal succession passed to the House of Hanover through the daughter of James

I. Her grandson became George I (1714-1727) of England, but his interests remained with his native Hanover. As a contemporary Englishman said of him, "He could speak no English. . . . Our customs and laws were all mysteries to him, which he neither tried to understand, nor was capable of understanding if he endeavoured it." Consequently, he allowed the administration of the nation to be dominated by Whig political leaders, headed by Robert Walpole, who, incidentally, could speak no German. Thus, their only medium of conversation was what might be termed "pig Latin." Had George I been less lazy and more moral, conditions might have been different. But his interests in wine and women were paramount, and he willingly allowed the Whigs to capture the government. Walpole is said to have controlled him with "bad Latin and good punch." The English people did not like their new sovereign, as indicated by Dr. Samuel Johnson's statement: "If England were fairly polled, the present King would be sent away tonight, and his adherents hanged tomorrow."

Under the circumstances, the Whigs developed a stronger organization that ran the government according to their principles and objectives. One of their foremost aims was the maintenance of the House of Hanover, especially as represented by the weak George I. A second objective was to continue and enlarge Parliamentary supremacy along the lines of the Glorious Revolution, the Bill of Rights, and the Act of Settlement. A natural consequence was the rejection of the divine right theory. The Whigs also were advocates of government by party—provided the Whig party continued in control. This, in turn, meant that the king's ministers should represent the majority in Parliament. As the Whigs were strengthened under such a system, it was but a question of time before the modern type of cabinet government came into being. The political leaders of the dominant party not only were selected to fill important administrative posts, but ran the government as well, thanks to the indifference of the king. Soon the most prominent member of the cabinet was being referred to as prime minister. Robert Walpole was the first to be so designated, although he himself refused to use the title.

George II (1727-1760) was as weak, unpopular, and, until just before his death, disinterested in English affairs as his father had been, so that the Whig oligarchy continued to dominate both politics and government. The Reverend Francis Thackeray once said that George II was "one who had neither dignity, learning, morals, nor wit—who tainted a great society by bad example"; another writer called him "an antiquated sultan with a hideous harem." He was cynical and "choleric," but at the same time none questioned his bravery. Both George II and his wife, Caroline, whom he loved despite his many mistresses, hated their son Frederick Louis. Queen Caroline is supposed to have said of him: "My dear firstborn is the greatest ass, the greatest liar, and the greatest *canaille*, and the greatest beast in the whole world, and I most heartily wish that he was out of it."

Gradually, the Tory party declined in strength. Its principles of divine right and legitimate succession had no place in the current scheme. The Tories were further weakened by their unsuccessful and unpopular efforts in 1715 and 1745

to restore the Catholic descendants of James II to the throne in the so-called Jacobite movement. Even the weak Hanoverians were wise enough to realize that Tory command of the government would be detrimental to their own interests.

The Whigs did not use their power and authority to bring about popular political reforms in England. Parliamentary government by no stretch of the imagination could be called democratic. The composition of both Houses was approximately the same at the end of the reign of George II as it had been a century before. The House of Lords, consisting of 191 members, represented the nobility of church and state. These peers held membership for life; with their rank, wealth, privilege, and social prestige, they exercised a political power and influence far out of proportion to their numbers. No measure could become law without their approval, and they thwarted any attempt at "democratic" reform.

The Unreformed House of Commons. The House of Commons was in theory representative of the people, but actually nothing could be farther from the truth. Suffrage qualifications were such that approximately 90 per cent of the adult males did not have the franchise. Instead, the landed gentry held the reins. They were aided in their control by the borough system of representation. Of the 558 members of the House in 1760, 417 were borough representatives, ninety-two were county delegates, four represented universities, and the remaining forty-five came from Scotland. Such a system might have seemed tolerable had the population remained stationary. In the century after 1660, however, when the last of the boroughs had been created, Birmingham, Leeds, Liverpool, and Manchester had grown into important cities, with a corresponding population decrease in some of the boroughs, such as Old Sarum, which had become virtually a "ghost" region.

Moreover, there were four different types of boroughs. One was the nomination, or "pocket," borough, in which the largest landowners selected the House members. This meant that a comparatively small group of nobles, wealthy commoners, and the royal family named a large percentage of the total House membership; the Duke of Norfolk alone could personally pick eleven delegates. Another form was the so-called "rotten" borough, where the population had dwindled to a mere handful of voters. House membership in such a borough was usually available to the highest bidder, and the price ranged from £2500 to £5000. The third type was the corporation, in which the franchise was limited to freemen, that is, to members of the municipal corporation, of guilds, and of trade unions. Usually, the seat in Commons was gained by inheritance, by marriage, or by purchase. The final type was the closed borough, in which the franchise was exercised only by the mayor, the aldermen, and other officeholders. In such boroughs "seats were advertised openly and shamelessly as being available to the highest bidder." A typical method was to grant a seat to the person who agreed to pay the borough debt.

Thus, the Parliamentary membership was well versed in corrupt methods. Low political standards were the general order of the time. Under such condi-

tions, it is no wonder that there was little interest in the welfare of the masses. The growing demand for more popular rights in the colonies was seized upon by some English liberals as an opportunity to promote similar reforms at home.

The Revised Colonial Policy. While King William's and Queen Anne's wars were in progress, and, indeed, in partial expectation of them, the English government embarked on an important program. Because the empire was at stake in view of the French menace, William III and Parliament realized the necessity of welding a more compact nation, with the colonies administered more effectively for their own defense, as well as for improved imperial unity and strength.

Generally speaking, English leaders thought the Stuart policies concerning mercantilism and centralized colonial administration were basically sound, but now they believed that improvements could be made. On the other hand, the colonies had shown opposition to both the Dominion of New England and the Navigation Acts under Charles II and James II. Therefore, during the reign of William III attempts were made to satisfy both the commercial interests at home and the dissatisfied plantations overseas with a compromise policy.

First of all, William made no effort to continue the Dominion of New England with its arbitrary features, particularly the dissolution of colonial assemblies. Both Connecticut and Rhode Island were allowed to resume their self-governing charters, Massachusetts was given a new one that struck a compromise between the original document and the Stuart royalization theory, and New York was permitted to elect a representative assembly. The policy of consolidation was followed in part, however, through the annexation to Massachusetts of Plymouth and Maine. Moreover, the initial steps were taken that ultimately led to the royalization of New Jersey and the Carolinas.

The colonists themselves, faced by French and Indian attacks, were not so vigorously opposed as earlier to some type of intercolonial union, provided they themselves had a voice in forming it. Indeed, in 1690 Jacob Leisler was a leading figure in a movement to provide greater cooperation, and William Penn proposed in 1696-1697 "A Briefe and Plaine Scheame how the English Colonies in the North parts of America Viz: Boston Connecticut Rhode Island New York New Jerseys Pennsylvania Maryland Virginia and Carolina may be more useful to the Crowne and one another's peace and safety with an universall concurrence." Robert Livingston in 1701 suggested there be three distinct and consolidated governments for the colonies "for the security of all His Majesty's Plantations on this North Continent of America." Nothing came of these proposals; support was lacking in both England and America.

Next, the English government planned to broaden its mercantilist policy by amending and enforcing the existing Navigation Acts. And, finally, efforts were made to strengthen the prerogative of the crown (which now really meant Parliament) by demanding the right to approve executives in all provinces and to extend the power of disallowing colonial laws at variance with those of the mother country. By these means it was hoped that the empire would be centralized, strengthened, and made more prosperous.

The Navigation Act of 1696. Accordingly, Parliament passed "An Act for preventing Frauds and regulating Abuses in the Plantation Trade," better known as the Navigation Act of 1696. It was primarily an attempt to plug loopholes in earlier laws by providing for more effective enforcement. Among its most important provisions were the following: (1) after March 1698 all colonial trade must be carried in English-built and -owned ships, with Englishmen making up at least three quarters of the crews; (2) the customs officers in America were to have "the same Powers and Authorities for visiting and searching of Shipps . . . and alsoe to enter Houses or Warehouses to search for and seize" illegal goods as were "provided for the Officers of the Customes in England," which meant, among other things, that writs of assistance² could be used in the colonies; (3) bonds must be posted on enumerated articles, even when a duty was paid in a colonial port, to ensure their being kept within the empire; (4) more effective registration of ships was established; (5) the responsibilities of naval officers were broadened; (6) land in America owned or claimed by England "shall not att any tyme hereafter alien sell or dispose" to any but Englishmen; (7) all colonial laws that were "any ways repugnant" to the act were to be "illegal null and void;" (8) governors of all colonies, whether they be royal, proprietary, or corporate, must have royal approval before assuming office and take an oath to enforce the acts of trade to the best of their ability; failure to do so would result in removal from office and/or a fine of £1000.

The Board of Trade. Closely associated with the Navigation Act of 1696 was a new administrative agency. The mercantile class in England, with considerably more influence since the Glorious Revolution, was not satisfied with the Lords of Trade. The commercial leaders asserted that the Lords had not been wholeheartedly interested in promoting imperial trade and, in addition, were too much under the thumb of the aristocrats of the Privy Council. The merchants and shippers therefore wished the supervision and development of commerce to be completely in the hands of Parliament, where they had more influence. In 1695 Parliament considered such a step, only to be opposed by William III, who feared still greater loss of royal prerogative.

In May 1696 the king supplanted the Lords of Trade with the Lords Commissioners of Trade and Plantations, popularly called the Board of Trade. The reasons for the establishment of this new administrative agency were contained in the preamble of the appointment:

Whereas We are extremely desirous that the Trade of Our Kingdom of England, upon which the strength and riches thereof do in a great measure depend, should by all proper means be promoted and advanced; and Whereas We are persuaded that nothing will more effectually contribute thereto than the appointing of knowing and fit persons to inspect and examin into the general Trade of our said Kingdom and the severall parts thereof, and to enquire into the severall matters and things herein after mentioned relating thereunto, with such Powers and Directions as are herein after specified and contained.

² For the controversy over these writs, see pp. 468-469.

The original membership of the Board of Trade consisted of the president of the Privy Council and seven principal figures in the executive departments, together with eight prominent men interested in mercantilism. As the administrative officials were not required to attend board sessions regularly, the eight mercantile members really did the work. Thus, though the Board of Trade was theoretically a committee of the Privy Council, in practice its relationship was not as close as that of earlier agencies.

The responsibilities of the Board of Trade were many. The members were expected to be fully informed about all phases of colonial activity. The governments of the colonies and their administration of justice, colonial defense, colonial commerce, and colonial products all came under their scrutiny. On the basis of this information, the Board might be able to recommend "how the same may be rendered most usefull and beneficall to our said Kingdom of England." More specifically, the Board was to keep the crown informed about the supplies of naval stores and other colonial products that England would otherwise have to purchase outside the realm, as well as about what industries "prejudicall" to England were developing in America "by furnishing themselves or other Our Colonies with what has been usually supplied from England; and to finde out proper means of diverting them from such Trades, and whatsoever else may turne to the hurt of Our Kingdom of England." In other words, the colonies must be maintained simply as producers of raw materials and as markets for England's manufactures.

The Board was also required to look over instructions to colonial governors and make suggestions for improving them. It must examine all colonial laws sent to England for approval, and then recommend whether they be allowed or disallowed. An account of all money appropriated by colonial legislatures for public uses had to be sent to the Board, which also had authority to hear complaints about maladministration and oppressions in America.

Although the eight working members of the Board never knew colonial conditions at first hand—a fact that caused considerable complaint from America—they were undoubtedly the best-informed Englishmen on the subject of colonial governments, colonial laws, and colonial trade. They were firm believers in the doctrine of mercantilism, which they attempted to promote in many ways. Although they could not make decisions, their recommendations to the crown, to the Privy Council, or to Parliament were usually accepted and put into force by Orders in Council or acts of Parliament. Indeed, few steps were taken in connection with trade and commerce or colonial supervision that were not originally initiated by the Board of Trade.³

Only Pennsylvania had a specific clause in its charter providing for submission of laws to England for approval or disallowance. Thanks to the efforts of

³ This was not always true. In the period to 1735 the Board was most effective, the membership earnest and hardworking. From 1735 to 1748, however, the Board became the victim of the "spoils system," and the caliber and efficiency of the membership declined. From 1748 to 1761 new life was infused under the leadership of the Earl of Halifax, but from 1761 until 1784, when the Board came to an end, it became increasingly weaker.

the Board of Trade and the Privy Council, however, by 1730 Connecticut and Rhode Island were the only colonies not required to submit their statutes to the mother country. Yet, of the 8,563 colonial laws examined, only 469 were disallowed. The usual reasons given for rejection were that a law was contrary to an act of Parliament or the common law, at variance with the colonial charter, detrimental to other colonies, injurious to English shipping, or infringed on the powers of the governor.

Measures for Greater Colonial Control. The Board of Trade was prompt to put its recommendations to work. In 1697, at the Board's request, the Privy Council empowered colonial governors to establish courts of vice-admiralty to try cases involving infringement of the various acts of trade. This action brought immediate colonial opposition because it meant stricter enforcement of measures that Americans disliked. The opposition was all the more vociferous because the English attorney-general decided that the vice-admiralty courts were to operate without juries; to the colonists this was a violation of their rights as Englishmen.

Some colonists also took exception to the "Act for the more effectual Suppression of Piracy," of 1699. One reason was that they were in league with some of the pirates, from whom they could buy needed commodities without paying duties. Another was that the measure provided for the establishment of special courts, functioning, like the vice-admiralty tribunals, without juries.

In 1704 Queen Anne issued her proclamation that a Spanish "piece of eight" should not be valued at more than six shillings, and four years later Parliament passed a coinage act that provided penalties for those who accepted more than the legal ratio for any foreign coins. To the colonists, both of these measures interfered in unwarranted fashion with their major source of hard money. They also opposed the act of 1711 that centralized the imperial post office in London, because it was another indication of extension of English control.

Much more protest, however, was directed against broadened efforts to control the colonial economy. In 1699 the Woolens Act, though directed primarily at competition from North Ireland, was the first step taken to stifle manufacturing in America.⁴ English gentry who raised sheep, manufacturers of woolen textiles, and merchants who sold woolen goods combined to protest the growth of a widespread, though small-scale, woolen industry in the colonies. They pointed out that Massachusetts in particular was producing enough wool to meet local demands and was even exporting some to neighboring colonies. Because this competition threatened to injure more than a million Englishmen engaged in some phase of the industry, the Board of Trade recommended passage of the Woolens Act. Under this act no type of woolen goods could be transported from one colony to another or to any foreign country, under pain of heavy penalty. Although the act made no effort to stop the manufacture of woolens for local use, the colonists considered the measure an attack on their freedom.

⁴ See p. 352.

Subsequently, two other acts of a similar nature were passed to restrain colonial activities "prejudicial" to mercantilism. New England, especially Rhode Island, and New York had been making beaver hats cheaply, and, finding ready markets in other colonies as well as in the West Indies and Spain, manufactured more and more each year. Protests by English hatters led to an investigation by the Board of Trade that revealed that the two colonial centers were making at least ten thousand hats a year. In 1732 the Hat Act prohibited the exportation of hats from one colony to another, or to England or Europe. Then, to cut down production further, no master hatter in the colonies could train more than two apprentices at a time, and each must serve for seven years; none could manufacture beaver hats until he had served such an apprenticeship; and no Negroes could be employed in the business.

The growth of the colonial iron industry had aroused apprehension in England as early as 1719, but it was not until 1750 that the Iron Act was passed. Although this measure admitted pig iron and bar iron ("primary manufactures" that England needed) into England duty-free, it strictly forbade construction of new mills, forges, or furnaces under penalty of a £200 fine.

These three acts probably did not hurt the colonies appreciably from the economic point of view because they were almost impossible to enforce, but they did add to the feeling in America that England was dominated by a selfish handful of manufacturers. Benjamin Franklin considered these laws an important factor in the subsequent colonial break with the mother country. He wrote:

The hatters of England have prevailed to obtain an Act in their own favor restraining that manufacture in America, in order to oblige the Americans to send their beaver to England to be manufactured, and purchase back the hats, loaded with the charges of a double transportation. In the same manner have a few nailmakers, and a still smaller body of steelmakers (perhaps there are not half a dozen of these in England), prevailed totally to forbid by an Act of Parliament the erection of slitting-mills, or steel furnaces, in America; that the Americans may be obliged to take all their nails for their buildings, and steel for their tools, from these artificers, under the same disadvantages.

Another indication of the interest of the Board of Trade was the broadening of the list of enumerated articles. Between 1705 and 1721 rice, molasses, naval stores, beaver skins, furs, and copper were added to the items that must be shipped to another colony or to the mother country. The fact that England paid bounties on several of these commodities did not lessen the colonists' opposition to this dictation of where they could dispose of their products.

The Molasses Act. Up to 1733 the acts regulating navigation and trade had been for the purpose of developing mercantilism and increasing imperial self-sufficiency. This was not true of the Molasses Act of 1733, which was passed to benefit a chosen few, not the empire as a whole.

The seventeenth century had witnessed remarkable growth and considerable prosperity in the British West Indies, whose economy had been based primarily upon sugar (see Chapter 8). As the next century opened, however, those British

sugar islands began to suffer. Their soil lost its fertility without crop rotation, and absentee landlords left the care of their plantations to overseers, who were interested only in immediate profit. Moreover, sugar was on the enumerated list, and England could neither consume all its colonies had to sell nor profitably dispose of the surplus elsewhere.

But it was the increasing competition of the French sugar islands, notably Guadeloupe and Martinique, which gave British mercantilists most concern. Aided by more fertile soil, efficient management, low taxes, and government bounties, the French islands were soon able not only to produce more sugar and molasses than did their British neighbors, but to undersell them by at least 25 per cent and sometimes as much as 50 per cent. Their growing population constantly demanded the livestock, fish, lumber, and foodstuffs that the English mainland colonies could provide, and were willing and able to pay higher prices for them. And the mainland colonies, anxious for a favorable balance of trade to obtain the specie with which to pay their obligations to England, bought more and more from the French islands and less and less from the British.

By 1710 the British West Indian plantation owners, who had considerable influence in Parliament, demanded help. They blamed their losses solely on French competition and the failure of the English colonies in America to respect the Navigation Acts. Major attention to winning the War of the Spanish Succession prevented favorable action, but the planters continued their pleas. Arguments pro and con were made before the Privy Council, the Board of Trade, and Parliament itself. Finally, however, a new issue won the day for the planters: aid to the British West Indies would benefit England in her struggle with France for commercial, and therefore territorial, supremacy.

Thus, the Molasses Act—"an act for the better securing and encouraging the trade of his Majesty's sugar colonies in America"—was passed in May 1733. Its introduction reviewed the West Indian predicament:

Whereas the welfare and prosperity of your Majesty's sugar colonies in America are of the greatest consequence and importance to the trade, navigation and strength of this kingdom: and whereas the planters of the said sugar colonies have of late years fallen under such great discouragements, that they are unable to improve or carry on the sugar trade upon an equal footing with the foreign sugar colonies, without some advantage and relief be given to them from Great Britain. . . .

The relief took the form of virtually prohibitive duties (nine pence a gallon on rum, six pence a gallon on molasses, and five shillings a hundredweight on sugar) on imports into the mainland colonies from the foreign islands after December 25, 1733. Furthermore, no sugar, molasses, or rum could be sent to Ireland except from the British West Indies and in English ships.

This measure did not have the expected results. The New England and Middle colonies quickly discovered that the British islands could not furnish all the sugar and molasses they needed for making the rum used in the triangular trade,⁵ and the duties imposed by the Molasses Act on foreign sugar made pur-

⁵ See pp. 219-220, 377-378.

chasing it unprofitable. Moreover, the British islands were not able to buy all the exports the mainland colonies had to sell. Therefore, important phases of imperial trade were being harmed, the fisheries, the fur trade, and the slave trade being the most prominent. The act was a definite contradiction to the theory of mercantilism.

Fortunately for the empire, Sir Robert Walpole, known as England's first prime minister, realized the inequities of the Molasses Act and made no effort to enforce it. Thus, there came into being the period commonly referred to as "salutary neglect." Colonial smuggling increased as customs officials closed their eyes when shipments from foreign islands entered such harbors as Newport, Rhode Island. The ease with which the Molasses Act was evaded encouraged colonial defiance of other Parliamentary acts.

EIGHTEENTH-CENTURY COLONIAL ADMINISTRATION

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English Administrative Agencies. In considering colonial government and administration in the period between 1689 and 1740, it will be necessary to describe briefly the institutions in England concerned with plantation affairs. The principal agencies in the mother country for colonial supervision were the crown and its administrative organs. Of these organs the most important was the Privy Council, consisting of the king's chief advisors and ministers. Prior to 1714 the forty-odd members were personally appointed by the ruler, and the term *King in Council* was regarded as the ultimate authority in colonial affairs. Theoretically, the king had the power to make all colonial appointments, to issue the needed commissions and instructions, to disallow colonial laws inconsistent with those of the mother country, and, among other things, to hear appeals from colonial courts. Actually, however, these functions were performed by the Privy Council.

Because the Privy Council was too large a body to function as a committee of the whole, its various activities, both at home and abroad, were performed through special subcommittees, commissions, boards, departments, or even individual officials. The actions of these several subdivisions, however, had to have final approval by the whole Council, and any public pronouncement by it was called an Order in Council.

The later Stuarts began the practice of consulting with just a few of the more prominent and influential members of the Privy Council, usually in the king's office or cabinet. Such "cabinet members" generally dominated the remainder of the Council and until 1689 were solely responsible to the king.

Following the Glorious Revolution, Parliamentary supremacy became assured, and control gradually passed from the king to dominant political leadership in the House of Commons. William III originally selected his cabinet from both Whigs and Tories, but constant dispute, wrangling, and intrigue caused so much disharmony within Parliament that a change was needed. Beginning about 1694, English rulers (with the exception of Anne) selected for their cabinet the leaders of that party having a majority in the House of Commons. Thus there came into being what is known as "party government."

This change brought an unexpected result. It now became necessary for the king to follow the wishes of the Parliamentary majority in the selection not only of cabinet members, but of privy councilors as well, if he were to enjoy legislative cooperation. Thus, Parliament became the real ruler, and the expression *the crown* thereafter really meant the dominant party leaders.

From 1700 to 1768 the cabinet officer most concerned with colonial problems was the secretary of state for the Southern Department. In the latter year a new office, the secretaryship of state for the colonies, was created, and the work of this department was divorced from any connection with the countries of Europe.

In addition to these secretaries, there were a number of executive boards and agencies, usually under the jurisdiction of the Privy Council, though sometimes directly under Parliament, which dealt directly or indirectly with colonial affairs. One of the most important was the Treasury Board. It had jurisdiction over all officers and agents who handled public money: taxes, customs, revenue from the Established Church, and post office receipts, to mention the most important. Probably the most voluminous correspondence sent back and forth across the Atlantic was that connected with the Treasury Board, which dealt with a great many aspects of colonial administration. Subordinate to this board were the commissioners of the customs. They were mainly responsible for the enforcement of the acts of trade, and also supervised the collection of customs duties. To them all of the customs officials in America were directly answerable.

Considered one of the "great departments" was the Admiralty, which had general supervision of the royal navy and worked out naval strategy in time of war. It also ordered naval vessels to colonial ports, not only to guard them in time of strife, but also to assist local customs collectors. Another function was to provide protection of imperial commerce from pirates, privateers, smugglers, and the like. There were two important subdivisions of the Admiralty: the Admiralty Board, consisting of prominent political officials with considerable influence in both the Privy Council and Parliament, and the Navy Board, made up of high-ranking officers of the navy.

What might be considered the judicial branch of the service was the High Court of Admiralty. It had jurisdiction over all navigable waters and tried, without juries, cases involving infringements of the Navigation Acts and acts of trade generally. In the colonies there were courts of vice-admiralty, whose judges were appointed by the High Court, usually on recommendation of colonial governors. With the passing of time, these vice-admiralty courts aroused considerable colonial resentment because they operated without juries, were inquisitorial, and menaced the widespread (and very popular) colonial smuggling.

Still another British agency was the War Office. Prior to 1756 this division played an insignificant role in America. After that time, however, it became just as important in colonial history as the Treasury Board and the Admiralty. As its title implies, the War Office had general supervision of the British army and all military affairs. During the Great War for the Empire and after, it was constantly in communication with royal officials in America.

The Bishop of London had charge of all Anglican churches in the colonies

after 1685. Acting through commissioners, he gave advice to members of the clergy, promoted parochial schools, suspended incompetent ministers, and attempted to raise standards of morality. Important, too, was his authority to ordain rectors.

Whereas these several agencies and boards were primarily concerned with matters political, financial, naval, military, and religious, the Board of Trade was charged with the responsibility of supervising colonial commerce and industry. With advisory powers only, it was especially interested in collecting information that would promote mercantilism. Four important weaknesses developed in the Board: its members never visited the colonies, it had to deal with too many diverse matters, it could not enforce its policies, and it subsequently fell prey to English partisan politics.

Colonial Administration. The development of colonial governmental processes in the eighteenth century followed virtually the same trend set in England beginning with the Glorious Revolution. The elected branch of the colonial legislature gradually became the most powerful unit of the colonial government, like the House of Commons in the mother country. This trend was opposed by royal officials in both England and America, for it was never England's intent to permit any infringement on the prerogative of the crown or its agents. In defense of this position, there had been proposals either to amalgamate the colonies, such as the effort to establish the Dominion of New England in the 1680's, or at least to royalize all proprietary and charter provinces.

The second effort was more successful, so that by 1760 the great majority of the colonies were royal: New Hampshire, Massachusetts, New York, New Jersey, Virginia, North Carolina, South Carolina, and Georgia. But there were also two other types: the proprietary colonies of Pennsylvania, Delaware, and Maryland, and the corporate colonies of Connecticut and Rhode Island. The government structure of all three types was virtually the same. Each had a chief executive, a governor. Each had a legislature, usually bicameral; the upper branch consisted of the governor's council, the lower was elected by the qualified voters and commonly called the House of Burgesses, the General Court, or the Assembly. The chief difference in the three types of colonial government was the method of selecting the governor. In the royal colonies he was appointed by the crown; in the proprietary, by the proprietor with the approval of the crown; and in the charter colonies, he was elected directly or indirectly by the voters, without need of royal approval. Beneath this structure had developed two general forms of local administration: the town or township in New England, and the county system elsewhere.

The Colonial Governor. In the following discussion of the functioning of colonial governments, the royal type will generally be used as the example. The chief colonial official was the governor, who was the direct representative of the crown or the proprietor, and was addressed as "His Excellency." He was the highest representative of royal prerogative in America and was authorized to

carry out "those powers which the King can exercise of his own initiative, without seeking or receiving parliamentary sanction." The commission he received directly from the king included a statement of his appointment, his title—"Governour and Commander-in-Chief" or "Captain-General and Governour"—a general grant of power, and the announcement that he would hold office during "the King's pleasure." This commission, a public document, was opened in the presence of the colonial council, before whom he took his oath of office, followed by the formal inauguration, a scene of considerable pomp and ceremony.

In his instructions were included the policies the governor was expected to follow. They were prepared by the Board of Trade after consultation with other agencies concerned with imperial and colonial affairs. Final approval had to be obtained from the Privy Council, that is, the King in Council. Many of these instructions were lengthy; for example, those to Governor Arthur Dobbs of North Carolina contained approximately fifteen thousand words. The contents could be publicly revealed or not, as the governor saw fit. Generally speaking, the governor was instructed to obtain legislation of benefit to the mother country, and to prevent measures that were detrimental. He should also try to develop the welfare of the colony so that it could play a more important role in imperial policies, and, of course, he was made the medium through which all official communications were sent to London.

Naturally, the governor enjoyed considerable political and social prestige. His relations with the colonists depended more on his personality than on anything else. Some governors attempted to gain the respect, affection, and esteem of the people by making themselves easily accessible and by entertaining, sometimes lavishly. Some officials regarded the colonists with disdain and contempt.

The executive powers of the governor, which were included in his commission, were the right to suspend members of the council and to fill council vacancies pending royal approval; to appoint, and suspend, colonial judges, magistrates, and other officers; to commute sentences and grant reprieves and pardons, except in cases involving murder or treason; to serve as commander-in-chief of the colonial military and naval forces; to call out the militia to defend the colony from invasion and internal rebellion; and generally to "do and execute every other thing . . . which to our Commander-in-Chief doth or ought of right to belong." In addition, the legislature might grant him special executive powers.

In the legislative field the governor's relationship to the colonial legislature was similar to the king's to Parliament. All colonial laws had to have the governor's approval, so that, in a sense, he was an integral part of the legislature. The introductory statement of colonial laws usually opened with: "Be it Enacted by the Governor, Council, and Assembly, and by the Authority of the same." The governor had the power of veto over measures passed by both houses, although he did not have a seat in either. His other important legislative powers were to issue writs of election, to summon, prorogue, and dissolve the legislature, to set the time and the place of legislative sessions, to recommend and suspend councilors, and to transmit all colonial laws to England, normally within three months of passage, for royal approval or disallowance.

In the financial field the governor was frequently at odds with the legislature over matters of taxation and appropriations. He usually claimed more authority than the assembly was willing to grant him, especially as the eighteenth century progressed. Bitterly contested were the questions of initiation of appropriations, custody of them, and their eventual expenditure. The signature of the governor was, of course, necessary on all supply and aid bills. In order to make a good impression upon his royal superiors, he tried to persuade the legislature to vote as many "grants in aid" to the crown as possible; such a measure was normally entitled: "An Act for granting . . . an Aid to his Majesty to repel the Problem of control of funds."

The governor also had extensive judicial powers, especially in the seventeenth century, when the colonial "supreme court" consisted of the governor sitting with his council as the highest court of appeals. The decisions of this court could be appealed to England, where the Privy Council, acting as the "Supreme Court of the Empire," could either uphold or reverse its rulings. In the vast majority of cases, however, no such appeal was made.

The Council. The governor's advisory body, usually called the council in royal and proprietary colonies and assistants in the corporate colonies, was to the governor what the Privy Council was to the king. Appointed by the crown or the proprietor, generally upon recommendation by the governor, the council usually consisted of seven to twelve members. They held office at the pleasure of the governor, who could suspend a recalcitrant member and appoint a replacement *pro tempore*.

The council had three major functions: executive, legislative, and judicial. In its executive capacity, many of the governor's powers were exercised "with the advice and consent of Council," and frequent meetings for this purpose were held. Legislatively, in most of the colonies the council served as the upper house of a bicameral body, somewhat like the House of Lords in England. It generally represented the interests of either the crown or the proprietor, as the case might be. As all bills had to have the council's approval, it had the same legislative powers as the elected lower house. During the eighteenth century, however, the council, representing the local aristocracy, was almost constantly in dispute with the assembly over the initiation of appropriation bills. Judically, the council and the governor formed the highest colonial court, and as such represented "to a certain extent the House of Lords sitting as the high court of parliament." There could be appeal from the decisions of this court only to the Privy Council.

Relations between the governor and the council were usually friendly and harmonious. This was only natural, because the governor had recommended the members for appointment. Their views were generally similar to those of the governor, and they shared his desire to support imperial policies. The governor had certain checks upon the council. He had the right to preside over the council when it served in an advisory capacity or when it sat as the court of appeals. The governor also edited and transmitted to the proper English authorities the minutes of council meetings. And, finally, he could suspend any member. On

the other hand, the council served as a check on the governor. The members held office independently, except for the possibility of suspension, and they had the right to appeal to England against suspension. Their advice and consent were necessary for all the governor's actions. In their meetings they were entitled to freedom of debate and of voting. As the upper house, they could be independent of the governor legislatively.

As prominent, wealthy, and influential residents of the colony, they would be more apt to have the backing of public opinion than would the governor. Governor Alexander Spotswood of Virginia found it impolitic to suspend a councilor, despite the fact that he was probably guilty of misusing public funds, because "more than half of the other councilors were relatives of the culprit." The council also had the right to bring charges against the governor. One notable example was that of [Governor George] Burrington [of North Carolina] *v.* Council in the 1730's. Burrington was constantly at odds with the assembly, and four members of the council sided with the elected branch in these quarrels. The governor then suspended the councilors and attempted to defend his action in his report to the Board of Trade by referring to one of them as "an ungrateful villain altogether bent upon mischief," the second as "a man of most infamous character," the third as "a disgrace to the Council," and the fourth, who, incidentally, was chief justice of the colony, as "a silly rash boy, a busy fool and egregious sot, . . . an ungrateful perfidious scoundrel." These four councilors brought countercharges against Burrington, accusing him of various misdemeanors. After looking over the documents on both sides of this case, the Board upheld the councilors, and the governor was removed from office. This action indicated that "there was a tribunal in Great Britain anxious to check arbitrary government on the one hand and unwarranted obstruction on the other."

The Assembly. The colonial assembly, called by different names in the different colonies, was an effective agency for expressing public opinion. To be sure, it was not as democratic an institution as lower houses of today because there were so many restrictions on the right of suffrage. There were property qualifications and in some colonies religious ones; practically all limited the suffrage to freemen, and, of course, women could not vote. As one writer has said, "The principle of universal manhood suffrage seemed as undesirable to the great majority of colonial politicians as it did to the authorities in Great Britain." Nevertheless, a larger percentage of the adult males in America could vote than in England.

The electoral unit in the colonies was the town or township in New England and the county in the remaining colonies. Following the English practice, population played no part in the number of delegates elected by the local unit. In the eighteenth century the feeling grew in America that these delegates did not represent the colony as a whole, but only the town or county that elected them. This idea of direct representation differed from the English system, known as indirect or virtual representation, under which a member of the House of Commons represented the whole empire, not simply his own constituency. Thus, to

the colonist the only legislature in which he was represented and which could levy taxes upon him was his own colonial assembly.

Within each assembly freedom of debate and of voting were allowed. The membership also claimed immunity from arrest while the legislature was in session. Each assembly had the right to petition the crown. There were, however, some points of controversy. To cite one example, did the assembly have the right to meet when and as often as it desired, or was it subject to the call of the governor? In the charters of Rhode Island, Connecticut, and Massachusetts provision was made for at least one session each year; in the remaining colonies the charter stated that they would meet at the call of the governor. New Hampshire, New Jersey, New York, and the Carolinas attempted in the eighteenth century to establish a definite time for meeting, as well as to fix the length of the sessions. Such measures were disallowed by England; for example, the South Carolina action of 1745 was denounced by the English attorney-general as "a very high infringement upon the prerogative of the Crown."

Despite the qualifications for voting, which gave control of the assembly to the privileged classes, it became increasingly impossible during the eighteenth century to separate the rights, liberties, and interests of these classes from those of the people generally. As Professor Osgood commented, "Within their walls popular liberty . . . found a refuge at a time when it seemed likely to perish from the earth." These assemblies were "a characteristic expression of the British spirit," and thereby made the colonies of England differ to a large degree from the possessions of other countries.

Because the lower house was the only governmental agency expressing popular will, there naturally were numerous conflicts with the governor and council, similar to those between king and Parliament in seventeenth-century England. Indeed, the assembly asserted it had the same rights and privileges in the colony as the House of Commons had in the mother country. Thus, in the eighteenth century the executive-legislative controversies in colonial America—ultimately won by the assembly—were reminiscent of what had taken place on the other side of the Atlantic. The rise in power of the assembly is probably the chief characteristic of eighteenth-century colonial political development. It was no sudden affair, but the result of forces working slowly and perhaps unconsciously.

One of the most important accomplishments was the right to limit salary grants to governors and judges. This was achieved despite the royal instructions to governors in 1703 that they obtain fixed salaries for all officials from permanent funds. Governor Robert Hunter of New York, however, after a bitter struggle with his assembly, was compelled to accept an annual grant in 1715, as did Governor Jonathan Belcher of Massachusetts in 1730. On the other hand, Belcher's predecessor, William Burnet, would not agree to the assembly's wishes and consequently received no salary at all. By 1750 at least five colonial assemblies consistently appropriated governors' salaries for but one year at a time. And five years later the Board of Trade admitted it could do nothing about such decisions.

Assemblies were quick to use the advantage they had gained. They began to

pass measures they knew were contrary to the royal instructions the governor had received. If the governor vetoed such a measure, his salary for the ensuing year would be held up. In New Hampshire, for example, the executive went without pay for five years (1731-1736) because he refused to sign a bill for the emission of paper money. And one contemporary said of the elected branch of New York in 1741, "If a governor will not blindly consent to their bills, however unreasonable or contrary to instructions, they will starve him into compliance." Because most officers needed their salaries for their livelihood, it is understandable that they often yielded to the will of the assembly.¹ Moreover, the legislatures gradually adopted the practice of enacting specific appropriation bills, rather than general ones. Thus, the governor could use the money only as the assembly stipulated, rather than at his own discretion, as he had done in the past. To make doubly sure that its limitations were observed, the assembly frequently elected as colonial treasurer its own speaker, who kept a watchful eye on the expenditure of these funds. Sometimes, too, special committees were appointed to guard the colonial treasury. Still another method of controlling the purse strings was for the assembly to name collectors of the revenues it had voted.

Although the governor was commander-in-chief of the colonial militia, this authority was diminished by the assembly in various ways: by appropriation bills specifying when and how the militia should be used, by controlling appointments of officers and holding up their pay if they were not satisfactory to the assembly, and by naming a house committee to manage the operations of the militia. In similar fashion, the governor's administration of Indian affairs was weakened by the activities of agents named by the elected branch.

Also contributing to this gain in power was the increasing frequency of assembly elections. In no colony did more than two years pass without an election, and one year was the average. This meant that a member who did not conform to the wishes of his constituents was likely to be defeated in the next election. Another factor was the right of the assembly to pass on the qualifications and election of its members. Therefore, anyone who used fraudulent or questionable means to win, or who was deemed to be a tool of the governor, could be denied a seat. Important, too, was the growth within the assembly of a steering committee or caucus. This was dominated by the popular political leaders of the assembly, who met before each session to determine the legislative policies to be followed. These decisions were generally accepted by the rest of the members, and a united front was thereby formed to combat the governor and council. Through these various techniques the lower house dominated the colonial government by the middle of the eighteenth century. Indeed, the Board of Trade was compelled to admit in 1757:

Almost every act of executive and legislative power, whether it be political, judicial or military, is ordered and directed by votes and resolves of the general court, in most cases originating in the house of representatives.

¹ At the time of his death the salary of Gabriel Johnston of North Carolina was in arrears fourteen years.

The Colonial Franchise. Contributing to the rise in power of the assembly was the broadening of the colonial franchise in most provinces early in the eighteenth century. Up to that time, especially in New England, there had been numerous qualifications for voting. In Plymouth the right to vote had been broadly extended at first, but in 1660 a specific amount of property was required. Eleven years later a potential voter had to give proof that he was not only "sober and peaceable" in his ways, but "orthodox in the fundamentals of religion" as well; to all intents, the latter requirement meant he must be a church member. In Massachusetts Bay from the very beginning the franchise was limited to those who were members of a Puritan church, but not all such members could vote; freemanship entailed other qualifications so that the aristocratic theocracy could be maintained. Connecticut established property qualifications for voting in the middle of the century, as well as the requirement that the voter be of a "peaceable and honest conversation"; in practice, only church members were considered to be such. Rhode Island, liberal as she appeared on the surface, would not extend the franchise to any except professed Christians.

Among the Middle colonies, New York, under the Duke's Laws, allowed landholders to vote, not insisting on church membership. Early Pennsylvania required belief in Christ as the Savior of the world, along with ownership of a certain amount of property.

Virginia was very liberal at first, allowing all free whites to vote in the early years. In 1655, however, the franchise was limited to "householders." So much criticism was directed against this law that the following year it was rescinded, because it was "hard and unagreeable to reason that any shall pay equal taxes and not have a voice in elections." Then, during the governorship of Sir William Berkeley, the franchise was granted only to "freeholders"—meaning owners of land—in 1670. Nathaniel Bacon succeeded in 1676 in restoring the vote to all free whites, but with his death the freehold qualification was re-established.

Quakers, on purely religious grounds, were not able to vote in Massachusetts and Plymouth throughout most of the seventeenth century. Several other colonies also barred them because they refused to take the required oath of fidelity and loyalty. Still other provinces, more liberal, allowed the Quakers to affirm their loyalty and thus they could vote. Several colonies barred Baptists around the middle of the century, and after the Glorious Revolution of 1688–1689 Maryland, New York, Rhode Island, South Carolina, and Virginia explicitly disfranchised Roman Catholics, who were probably denied the ballot in numerous other colonies as well. Jews fared as badly in New York, Pennsylvania, Rhode Island, and South Carolina prior to 1760.

In New England membership in an established church or ownership of property did not automatically entitle a seventeenth-century colonist to vote. He must be admitted to freemanship, which could only be granted by the colonial legislature, dominated by an aristocratic element anxious to limit the suffrage as much as possible. Consequently, only a small percentage of the adult male population actually could vote.

With the exception of Catholics and Jews, colonists tended to be better off politically in the eighteenth century. Ownership of property, rather than church membership, became the basis for the franchise. This was in part because established churches, especially in New England, were losing their power and influence after the witchcraft trials. The eighteenth-century property qualifications, however, were generally higher than they had been in the previous century. The colonial legislatures were favoring more and more the landholding upper classes and were following more closely instructions from the mother country to emulate the English franchise custom in the colonies.

The following list gives the major voting requirements in the eighteenth-century colonies:

Connecticut: an estate worth 40 shillings annually or £40 of personal property

Delaware: fifty acres of land (twelve under cultivation) or £40 of personal property

Georgia: fifty acres of land

Maryland: fifty acres of land or £40 personal property

Massachusetts: an estate worth 40 shillings annually or £40 of personal property

New Hampshire: £50 of personal property

New Jersey: one hundred acres of land, or real estate or personal property worth £50

New York: £40 of personal property or ownership of land

North Carolina: fifty acres of land

Pennsylvania: fifty acres of land or £50 of personal property

Rhode Island: personal property worth £40 or yielding 50 shillings annually

South Carolina: one hundred acres of land on which taxes were paid; or a town house or lot worth £60 on which taxes were paid; or payment of 10 shillings in taxes

Virginia: fifty acres of vacant land, twenty-five acres of cultivated land, and a house twelve feet by twelve feet; or a town lot and a house twelve feet by twelve

Despite the increase in property qualifications, economic opportunities in America were improved, making it easier to meet the requirements. Land, for example, was comparatively cheap and easy to acquire. Therefore, a larger percentage could vote than in the seventeenth-century colonies and in eighteenth-century England.² But by no means was there universal male suffrage. Nor was there any movement to extend the franchise to women, although a Mrs. Margaret Brent sought to vote in Maryland in 1648, and Mrs. Deborah Moody cast a ballot in a Long Island town election in 1655. Negroes were barred by law from voting in the Southern colonies prior to the Revolution, and by custom in the North.

² One of the most recent works on the franchise is Chilton Williamson, *American Suffrage from Property to Democracy* (1960). Of the monographs upholding the thesis that there was practically universal male suffrage in the eighteenth-century colonies, Robert E. Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691-1780* (1955), and Robert E. and B. Katherine Brown, *Virginia, 1705-1786: Democracy or Aristocracy?* (1964), are the ones most quoted. Challenging the Brown thesis are Elisha P. Douglass, *Rebels and Democrats: The Struggle for Equal Political Rights and Majority Rule During the American Revolution* (1955), and John Cary, "Statistical Method and the Brown Thesis on Colonial Democracy," *William and Mary Quarterly*, XX (1963), 251-276.

The Judiciary. Although there was general uniformity in the organization of the colonial judiciary in the various provinces, because the plan usually followed the English system, there were some minor differences arising from local conditions. At the bottom of the scale were the justices of the peace, usually named by the governor from among the leading families. A justice had jurisdiction in minor offenses, such as civil suits involving small amounts. His court was regarded as a "people's court," for it was readily accessible to anyone who sought a hearing, the decisions were prompt, and court costs were reasonable.

Above this was the county court, sometimes called the court of quarter sessions. Composed of all the justices of the peace within the county, it had jurisdiction in criminal cases not involving life or limb and in civil cases involving larger amounts than came before an individual justice. The county court was also the chief administrative agency of the county, having supervision, among other things, of county property, roads, and the poor. Next came the general circuit court, having various titles in the different colonies. The bench consisted of full-time judges, usually appointed by the crown, and heard appeals from the county courts. At the top of the judicial ladder in the seventeenth century were the governor and council, in effect the supreme court of the colony. In the next century, however, the highest court consisted of judges appointed by the governor.

In all these courts an effort was made to follow English procedure. This was sometimes difficult because the judges and attorneys were often untrained. Yet, defendants were entitled to the right of habeas corpus, to a jury trial, to face their accusers, and to summon witnesses in their behalf—in fact, all the legal rights that Blackstone called "the liberties of Englishmen."

There was considerable criticism of the colonial judiciary. First of all, the colonial legislatures claimed the right to create courts, only to be instructed in 1750 that this was the function of the crown. Henceforth, no new courts could be established or old ones abolished without royal approval. At the same time, colonial governors were warned by England to veto any local laws passed in defiance of this instruction. The reason for this crown action was that some colonial courts had failed to enforce the British trade laws. Secondly, colonists objected to appointments being made by the crown upon recommendation by the governor. They said that this method led to patronage, favoritism, incompetency, and even corruption. They did not deny the king's right to name judges, but they did complain of the way the right was exercised. Possibly the chief object of colonial complaint was the length of tenure. Until the Glorious Revolution of 1689, judges in both England and America were appointed "during the pleasure of the King." In England thereafter they were to serve "during good behavior," but continued under the old system in the colonies. As the eighteenth century progressed, colonial protests became louder, and the legislatures attempted to dominate the judges through their control over the purse strings. This led to long and bitter controversy, as indicated by one of the charges against the king in the Declaration of Independence: "He has made judges

dependent on his will alone, for the term of their offices, and the amount and payment of their salaries."

The Colonial Agent. Representing an important link between the English agencies of colonial administration—especially the Privy Council and the Board of Trade—and the colonial governments was the colonial agent. He might be a colonist; he might be an Englishman; he might represent simply one colony; he might represent several.³ Named by the assembly, an agent would be instructed "to attend upon His Majesty and Ministers of State, pursuant to such Directions and Instructions as he shall, from time to time, receive from the Governor and Council, or the General Assembly of this Province." His duties consisted chiefly in efforts to obtain legislation favorable to his colony, to prevent the enactment of measures detrimental to his colony, to make known in the proper places what the colony's wishes were, and to answer English charges against his colony. Although the agent was never an official part of the colonial administration, his efforts as a "lobbyist" were very important to the colonial cause. This fact is indicated by the salary he received; the prominent Edmund Burke, who was the agent for New York in 1770, was paid £500 a year.

Local Government. Local government was extremely important in colonial America, for it had the closest contact with community conditions and reflected, even more than did the colonial assembly, the sentiments of the masses. Therefore, even though numerous references have already been made to county and town administration, it may be well to summarize the main features of local government.

The major local subdivision in the South and in parts of the Middle colonies was the county; in New England and sections of New York and Pennsylvania it was the township. In the county the most prominent official was the justice of the peace, a judicial and administrative officer who was named by the governor from among the more prominent and wealthy families. He sat on the county court, which combined judicial and administrative functions. The sheriff, assisted by a constable, enforced the orders of colonial and county officials in both civil and criminal matters. Most counties had a prosecuting attorney, a treasurer, a county clerk, several court clerks, a coroner, a register of deeds and wills, a surveyor, road commissioners, assessors, and numerous other officials. Unfortunately, in many counties there was plural or multiple officeholding, concentrated in few hands and contributing to the formation of "courthouse rings" that dominated the political, economic, and social life of the community.

In New England townships the town meeting dominated the picture and was much more democratic⁴ than was local government elsewhere. Indeed, it has been said that the town meeting was the sounding board of public opinion on all

³ For example, Benjamin Franklin served as agent for Pennsylvania, Georgia and Massachusetts.

⁴ See pp. 92-93.

important local, and sometimes colonial, problems. Every town dweller could attend such a meeting and speak his mind, though voting was limited to "inhabitants," the property owners. The most important officials were the popularly elected selectmen who administered local government. The town clerk kept the records, and the other officers were similar to those of the county.

The duties and obligations of both county and town officials were practically the same. They assessed and collected local taxes, administered justice, settled estates, recorded land titles, looked after public health, maintained peace and order, constructed and maintained roads, relieved the poor, supervised elections of delegates to colonial assemblies, and usually represented the basic units for defense—to mention the most important.

By the opening of the eighteenth century, manors were of little importance as administrative units of local government. They had been established principally in Maryland,⁵ but were also to be found in sections of New York and Pennsylvania during the early years. As population grew, however, and the county or town was established, the manor was pushed to the background, though its lord continued to control the economic life of his tenants.

The hundred, a holdover from the English subdivision of the same name, was fast dying out by 1700, except in Delaware, where it continued throughout the colonial era as a county subdivision. In Virginia it was still to be found in some areas as the unit for military, political, and judicial purposes. In parts of Maryland the hundred was the unit for tax purposes; it was also employed as an election subdivision and as a law enforcement unit for preserving the peace through a constable.

The parish, particularly in the South, was the local unit of church organization, and within the parish the most important agency was the vestry. Members of the vestry were the leading figures in the church and were elected by the congregation. Unfortunately, there were times when it became a self-perpetuating body, the incumbents picking replacements for those who died or resigned. Assisting the vestry were the churchwardens, chosen by the vestry to collect church taxes, manage church property, and look after the parish poor. The vestry also selected ministers, supervised religious activities and church attendance, and promoted education. The congregation, consisting of all church members, was theoretically a democratic institution, but in practice it often was not, its authority being usurped by the vestry. As county government became more established, it took over most of the nonreligious activities of the parish.

As villages grew into towns, and towns into cities, some form of municipal government became necessary. Therefore, the municipal corporation came into being, the result of a charter granted by the governor or sometimes by the assembly. In royal colonies the mayor, the most important official, was usually appointed by the governor. Assisting him was a group, comparable to the governor's council, known as the aldermen or common council, whose members were elected by qualified voters. The mayor and the aldermen took care of

⁵ See p. 64.

admission of freemen, of police, of street cleaning, of lighting, of business services, of weights and measures—indeed, virtually everything that was done on a broader scale by the county or township. There was also the borough, a town with special privileges, such as the right to send a delegate to the legislature regardless of its population, or with some specific obligation, say, to build a fence around its borders.

TERRITORIAL GROWTH AND EXPANSION IN THE EIGHTEENTH CENTURY

*

The eighteenth century was a period of rapid growth and expansion, during which the colonies emerged from widely scattered, struggling, dependent settlements into full-grown, self-supporting political and economic communities. The period from 1689 to the opening of the American Revolution was characterized by a tenfold growth of the colonial population as a result of both natural increase and the arrival of many "foreigners," by territorial expansion, by increase in wealth, and by the evolution of a distinctively American society embodying American ideals, institutions, interests, and sentiment. At the same time, a second major development was taking place, the tightening of economic and political control of the colonies by the mother country in order to establish an effective empire. Hence, the attempts of England to tighten the imperial apron strings just as the colonies began to reach maturity evoked resentment in America that led to eventual rebellion and separation from the empire.

Effects of the Intercolonial Wars. In contrast with the previous century, the eighteenth was one of almost constant warfare and diplomatic bickering between England, on the one side, and France and Spain, on the other. Four major wars, in which the colonies were naturally involved, were fought between 1689 and 1763, and all had an important bearing on colonial expansion and progress. In 1689 the colonies were a series of disjointed communities, separated from one another by wide sounds and bays, rivers, swamps, and forests. Most settlements were close to the coast; practically all were near watercourses; few were more than fifty miles inland, except in the valleys of the Connecticut, Hudson, James, and certain other rivers. There were few large towns, and the total population was only 210,000, nearly all of English stock. The interior or back country was an irregular and sparsely settled frontier, and there were still vast unexplored and unknown areas, inhabited by "wild Indians" and beasts of the forest.

There was almost constant warfare along the frontier from Maine to Carolina

during the first two intercolonial conflicts.¹ The most serious disturbances were in the New England and New York areas, but the unsettled and chaotic conditions along the whole frontier served as a definite deterrent to any expansion of settlements into the wilderness. Practically no change occurred in the line of frontier communities between 1689 and 1713. The total population of the mainland colonies rose from 210,000 to 350,000 during this period, it is true, but virtually all the increase was in the older settlements.

The close of Queen Anne's War in 1713 was followed by thirty years of comparative peace—except for a few sporadic raids, isolated Indian attacks, and diplomatic differences—during which there was great territorial expansion and population growth. By 1750 the colonial population had increased to more than a million, partially as a result of "the swarming of the non-English" to America. More and more settlers established homes in the back country during this era, the eastern foothills attracted an increasing number of pioneers, and hardier souls were even finding their way across the rough Appalachians.

The French and Indian War (1754–1763) temporarily halted this westward movement, but as soon as the French menace disappeared in any area, the trend was resumed, and on a greater scale than previously. Efforts of the English government to establish an Indian reservation west of the mountains in 1763² were met with protest and defiance by a colonial population that had swelled to about two million.

The Expansion of New England. During the eighteenth century each geographic section exhibited some special features of territorial expansion and population growth. New England was sparsely settled in 1689. More than half of its eighty thousand inhabitants resided in Massachusetts, seven thousand of them in Boston alone. Connecticut had another twenty thousand, but, except for Newport and Providence, Rhode Island's population was quite small. The Vermont region, claimed by both New Hampshire and New York, had no white occupants, and New Hampshire and Maine were very thinly settled; only three towns in the latter were listed for tax purposes as late as 1694.

There was very little expansion in New England between 1689 and 1713 because of Indian uprisings along the frontier, the counterclaims of New York and Pennsylvania to lands claimed by Massachusetts, Connecticut, and New Hampshire, the intercolonial wars, poor agricultural prospects, and the opposition of many New Englanders to "immigrants." Governor Thomas Hutchinson, writing in 1775, said that the population of New England would have been two hundred thousand larger "if the French had been driven from Canada a hundred years ago." Not a single new town was planted in Maine between 1675 and 1715, and some of the old towns were abandoned. By the latter date over a hundred miles of the coast had become destitute of inhabitants, there was practically no extension of settlement in New Hampshire, and, although Connecticut

¹ King William's War (1689–1697) and Queen Anne's War (1702–1713). See pp. 221–226.

² See pp. 475–477.

planned a few towns to the northward, "the entire period had been one of increased concentration in the older settlements rather than . . . expansion."

A rapid widening of the settled area followed the Treaty of Utrecht and the removal of the French and Indian menace. The thirty years of comparative peace after 1713 were a major factor in the extension of the New England frontier. But there were other potent causes, such as the concentration of population in the older communities that led to increased land values, keener competition for land, religious conflict between Puritans and non-Puritans, and political inequities that promoted bitterness between privileged and unprivileged classes. Thousands of people moved from the seaboard area into central Massachusetts as far as the Berkshires, and into the valleys of the Housatonic, the Connecticut, the Merrimac, and other rivers. It has been truly said that the New England frontier was "filled in" between 1713 and 1748.

Many of the new settlements were the result of individual activity, though some were promoted by speculators in seaboard towns who had invested in "wild lands" along the frontier. Meantime, most of the older towns were growing rapidly. By 1760 Boston had a population of slightly more than fifteen thousand; Salem had become a flourishing town of nearly five thousand inhabitants; Newport, with seventy-five hundred people, was the chief center of the colonial slave trade; New Haven, New London, Hartford, Portsmouth, and Providence were thriving communities, all among the twenty most populous towns of colonial America. The total population of New England in that year was almost half a million.

Growth of the Middle Colonies. In 1689 New York, New Jersey, Pennsylvania, and Delaware had about forty-five thousand settlers, almost half of them in New York, and more than two thirds located in two centers, within a fifty-mile radius of either New York City or Philadelphia. The colony of New York was expanding very slowly, despite its excellent port, fertile lands, timber resources, and abundance of fur-bearing animals. Immigration was checked by the government's policy of large grants, which led to the accumulation of huge manorial estates in the hands of a few great families. Another retarding factor was the presence of the numerous and powerful Iroquois Confederacy in the Mohawk Valley, the "gateway to the West." The necessity for maintenance of Iroquois friendship placed New York at a disadvantage in comparison with New England, and even more so in comparison with the rapidly developing Pennsylvania-Delaware area. It was the latter region that tended to attract immigrants. Between 1690 and 1740 there were not many shifts in population in New York. Most of the inhabitants were still concentrated on Long Island and in a thin strip along both sides of the Hudson from New York City to Albany. Only a few straggling communities of Germans were to be found in the Mohawk Valley, and the virtually isolated outpost of Oswego, established in 1726, was located many miles away on the eastern end of Lake Ontario.

After 1740, however, settlement began to spread out both east and west of the Hudson. The area toward Massachusetts and New Hampshire was gradually

Encouragement given for People to remove and
settle in the Province of New-York in
America.

The Honourable George Clarke, Esq. Lieut.
Governour and Commander in chief of
the Province of New-York, Hath upon the Pe-
tition of Mr. Lauchline Campbell from Isla, North-
Britain, promised to grant him Thirty thousand
Acres of Land at the Wood-Creek, free of all
Charges excepting the Survey and the King's
Quit-Rent, which is about one Shilling and
Nine Pence Farthing Sterling for each hundred
Acres. And also, To grant to thirty Families
already landed here Lands in proportion to
each Family, from five hundred Acres unto
one Hundred and Fifty only paying the
Survey and the King's Quit-Rent. And all
Protestants that incline to come and settle in this
Colony may have Lands granted them from
the Crown for three Pounds Sterling per hun-
dred Acres and paying the yearly Quit-Rent.

Dated in New-York this
4th Day of December,
1738.

GEORGE CLARKE.

Printed by William Bradford, Printer to the King's most Excellent
Majesty for the Province of New-York, 1738.

Governor George Clark's appeal for settlers in New York.
(Courtesy of The New-York Historical Society, New York
City)

dotted with an increasing number of towns and hamlets. On the other side of the river westward to the Delaware River and south of the Catskills many newcomers were arriving. In addition, the Mohawk Valley was attracting more and more squatters, lured by fertile lands and the fur trade. By the middle of the century Albany was probably the greatest center of that trade, obtaining an annual average of £22,000 worth of furs from Oswego alone.

Despite these advances, New York's population growth did not keep pace with

that of its neighbors. In 1689 it had sixteen thousand inhabitants; in 1775, only 180,000. The colony's only large community was New York City, with a population of slightly more than twenty-five thousand at the end of the colonial period. Albany, the second largest, ranked a very poor second with about four thousand.

New Jersey's population jumped from some ten thousand in 1689 to an estimated 130,000 in 1775. Most of the increase in this period was to be found near New York City and Philadelphia, in the counties of Hunterdon, Essex, Middlesex, and Monmouth. The arrival of German and Scotch-Irish immigrants was responsible in part for the mounting population. Despite the colonial growth, there was no town of sufficient size to be numbered among the first twenty in the colonies as a whole.

The rapid development of Pennsylvania, the most spectacular in any of the colonies, was the result of favorable land grant terms, a liberal religious policy, a fertile soil, good advertising, and the growing importance of the port of Philadelphia, the largest in the colonies by the end of the colonial era (nearly forty thousand inhabitants). The total population of Pennsylvania had spiraled from twelve thousand in 1689 to 340,000 in 1775. The proceeds of return cargoes on ships bringing immigrants to Pennsylvania, plus the inability of the Southern colonies to attract many newcomers from Europe directly to their own shores, greatly increased immigration to Pennsylvania and had an important bearing on the growth of the colony. Governor Arthur Dobbs of North Carolina, writing to the Board of Trade in 1755, declared:

We are also greatly cramp'd in our trade to Ireland, having little or nothing we can send from hence,... so that Ships coming from Ireland must return empty.... [Hence] the trade from Ireland being limited to Linnens and Provisions, which we don't want, and to Servants and Irish Protestants who choose to come to reside in this Climate, the Ships for want of Returns carry them all generally to Pennsylvania from whence at great Expence they come by Land in Waggons to the [this] Province.

Thus, large numbers of settlers were brought to Pennsylvania, especially Scotch-Irish, Germans, and Welsh, thousands of whom settled in the valleys of the Delaware, Schuylkill, and Susquehanna, whence many eventually reached the back country regions of Maryland, Virginia, and Carolina. In fact, Philadelphia became the chief port of debarkation and Pennsylvania the chief distributing point for a major portion of the non-English groups in the Southern colonies. By 1760 Pennsylvania ranked third in population, being exceeded only by Virginia and Massachusetts, both of which had been founded at least a half-century earlier. Still, the population was primarily rural, for the only town of any size outside of Philadelphia was Lancaster, which contained slightly more than five thousand inhabitants at the end of the era.

The Expansion of the Southern Colonies. The Southern colonies also experienced a remarkable territorial expansion and population growth in the eighteenth century, particularly after 1740. The total population of these colonies in 1689 was about eighty-five thousand, of which Virginia had sixty thousand and

ing around Albemarle Sound and Charleston, contained only some five thousand whites. By 1750, however, the Southern population had increased to four hundred thousand, and by 1775 to 1.25 million. This phenomenal growth was largely the result of the filling in of the coastal plain, the founding of Georgia, and the settlement of the back country by thousands of Scotch-Irish, Germans, and others who flocked to this area from Pennsylvania and other provinces.

In the first quarter of the eighteenth century the settled area of the Southern Tidewater expanded rapidly as planters, farmers, and speculators took up claims and established farms in the numerous broad and fertile valleys. Scores of new counties were established and many new towns begun. Most of the older towns increased in population, though some, such as St. Mary's, Maryland, and Jamestown, Virginia, declined or even disappeared. Among the leading communities founded between 1700 and 1740 were Baltimore and Annapolis in Maryland, Fredericksburg and Richmond in Virginia, New Bern, Edenton, and Wilmington in North Carolina, Georgetown in South Carolina, and Savannah in Georgia.³

Settlement of the Southern Back Country. The settlement of the Southern back country was largely the result of the quest for cheap lands by people from older communities. There were two significant population movements into the Piedmont region, the first of which was an expansion from the coastal plain along the valleys of the Potomac, James, Neuse, Cape Fear, Savannah, and other rivers. In the coastal plain the best lands were being concentrated in comparatively few hands, making it imperative for less fortunate persons to seek opportunities elsewhere. Small farmers who could not compete with slaveholding planters, servants hoping to strike out for themselves when their indentures expired, prominent land speculators, planters whose lands were being exhausted by the wasteful system of farming, and men interested in trade in deerskins all helped in the settlement of the back country.

But much more important than the westward push from the coast was the southward movement of population from the Middle colonies, particularly Pennsylvania and New Jersey. By 1735 thousands of Scotch-Irish and Germans had settled in the central and back country areas of Pennsylvania. As early as 1730 the vanguard of these newcomers had reached the foothills of the Alleghenies, and migration was then deflected southwestward into the Shenandoah Valley of Virginia. As population increased, land prices and rents advanced to such an extent that they were soon twice as high in Pennsylvania as in Virginia or Carolina, whose land agents started advertising their real estate with a "come-South-where-it's-cheap" appeal.

In addition to this economic factor, French control of passes in the Appalachians checked further westward expansion in Pennsylvania. Still another impetus to migration southwest was the likelihood of Indian uprisings and

³ The largest Southern towns at the end of the colonial period were Charleston (12,000), which ranked fourth among the communities of colonial America, Norfolk (6,250), ranking eighth, Annapolis (3,700), ranking nineteenth, and Savannah (3,200), ranking twentieth.

actual war on the Pennsylvania frontier. As early as the 1740's Scotch-Irish from Pennsylvania were settling in the North Carolina Piedmont, and in the next decade the "Pennsylvania Germans" took up lands in the same region. The Moravian bishop and leader of the first Moravian settlement in North Carolina, Augustus Gottlieb Spangenberg, wrote in 1752:

[Many settlers] have come here from England, Scotland & from the Northern Colonies. Some have settled here on account of poverty as they were too poor to buy in Pennsylvania or New Jersey . . . there are plenty of people who have come from Virginia, Maryland, Pennsylvania, New Jersey, & even from England.

The Great Philadelphia Wagon Road. These thousands of Pennsylvania émigrés—Scotch-Irish, Germans, Welsh, and others—moving "with horse and wagon and cattle," reached their destinations in the Carolina back country by a long and arduous trip along the Great Philadelphia Wagon Road, perhaps the most widely traveled highway of eighteenth-century colonial America. This highway, frequently called "the bad road," began at the Schuylkill River opposite Philadelphia, ran west through Lancaster to Harris' Ferry on the Susquehanna, thence through York to Williams' Ferry on the Potomac, where it entered the Great Valley of Virginia. The road then passed through Winchester, Strasburg, and Staunton, crossed the James River at present Buchanan, and turned almost due south to the site of present Roanoke. From there it ran eastward through the Staunton Gap of the Blue Ridge, then southward, crossing the Blackwater, Irvine, and Dan rivers to Wachovia on a tributary of the Yadkin. After 1756 the highway was extended to Salisbury, North Carolina.

The North Carolina legislature, cognizant of the "new immigration," created five counties in the back country. By 1767 these counties had a population of about sixty thousand. Within twenty years the number of taxables in Orange County (created in 1752) had increased from a mere twenty to four thousand, giving it the largest white population in the colony. Almost as large a population increase was experienced in the new counties of back country Virginia and South Carolina.

Population Growth (1689-1775). The Great War for the Empire (1754-1763) temporarily retarded the population growth, immigration to America, and colonial territorial expansion. With the conclusion of hostilities, however, the influx of new arrivals from Europe began again. Accompanied by a high birth rate and a slightly reduced mortality, the result was a tenfold increase of population in colonial America between 1689 and 1775. The growth in population during this period can be summarized as follows:

	1689	1750	1775
New England colonies	80,000	300,000	690,000
Middle colonies	45,000	300,000	650,000
Southern colonies	85,000	400,000	1,250,000
	210,000	1,000,000	2,590,000

Georgia. Georgia, the last of the thirteen mainland colonies, was the only English province planted in the eighteenth century, chartered half a century after Pennsylvania, its immediate predecessor. Its founding was the result of two entirely different forces and objectives: the need for a buffer or "march" colony against Spanish Florida, and the desire for an asylum for debtors and other unfortunate classes among the English population. Motives of a secondary nature were the potentialities of the fur trade, the desire for a haven for persecuted religious sects in Europe, and the personal ambitions of the sponsors of the colony, particularly James Oglethorpe, an "imperial idealist."

There were rival claims and bitter disputes between England and Spain over the "debatable land" of the Georgia region. The Spaniards, with justice, and basing their claims on the Anglo-Spanish Treaty of Madrid (1670), considered this area a part of Spanish Florida. The English, on the other hand, regarded it as part of their domain and had included it—and more—in the second charter of Carolina (1665). The advance of the Spanish and French from the south and southwest and the problems of Indian trade and defense along the whole Southern frontier jeopardized English interests.

Soon after the settlement of what is now South Carolina, leaders of that colony expressed fear of possible Spanish expansion from Florida. They also pointed out the great profits to be made from the fur trade, as well as the need for new lands for their growing plantations. But the Carolina proprietors were less interested in southward expansion and insisted on the "fullest development of Carolina" without "crowding the Indian" or provoking conflict with the Spaniards. This view was upheld by Prime Minister Robert Walpole, whose policy was to "let sleeping dogs lie," and who had no desire to engage in war with Spain over expansion in the New World.

This policy of "salutary neglect" was not popular with South Carolinians, who blamed the Spaniards for inciting Carolina Indians, climaxed by the deadly Yemassee War in 1715. With the conclusion of this conflict early the next year and the subsequent flight of many of the tribesmen to the protection of the Spanish fort at St. Augustine, John Barnwell and other Carolina imperialists urged upon both provincial and British officials the necessity of building forts and planting settlements within the "debatable land." The ultimate objective was the complete expulsion of the Spaniards—and the French—from the whole Southern area.

Meantime, Sir Robert Montgomery, an ambitious and visionary Scot, was making plans for the colony of "Azilia." In 1717 he obtained from the Carolina proprietors a grant of land directly west of the Savannah River and extending southward to the Altamaha, where he planned to settle with "gentry and laborers." Here he proposed to "build the Garden of Eden" and to produce "rice, coffee, tea, figs, currants, almonds, olives, silk, and cochineal." In a book designed to promote settlement of the "Margravate of Azilia," he declared that "Paradise with all her virgin beauties may be modestly suppos'd at most but equal to this land of Azilia." But Montgomery's glowing advertising failed to

recruit settlers, so he sold his grant to Aaron Hill, who likewise failed to plant a colony.

About the same time, Jean Pierre Purry petitioned the Carolina proprietors for permission to settle a colony of Swiss west of the Savannah River, to be named Georgia or Georgiana, to serve as a "bulwark against French and Spanish." This request was refused. South Carolina leaders were meanwhile showing renewed interest in this region. In 1721 John ("Tuscarora Jack") Barnwell, noted Indian fighter, built Fort King George near the mouth of the Altamaha. Immediately, Spanish authorities protested this action as an invasion of their territory. The fort was abandoned in 1727, not because of Spanish hostility, but rather because of fire and resultant repair costs. The undeclared war continued, however, along what was becoming the most dangerous border in America. A South Carolina expedition marched to the very gates of St. Augustine to punish Indians for depredations against Carolina settlers.

British officials now were becoming concerned with these developments along the Southern frontier. The policy of neglect was superseded by one of positive action. As early as 1730 the Board of Trade recommended the planting of an English colony on the Altamaha, under sponsorship of Bray's Associates,⁴ "for settling the poor persons of London." At this juncture English philanthropy and imperialism began to merge, under the leadership of James Oglethorpe and John Viscount Perceval (later the Earl of Egmont).

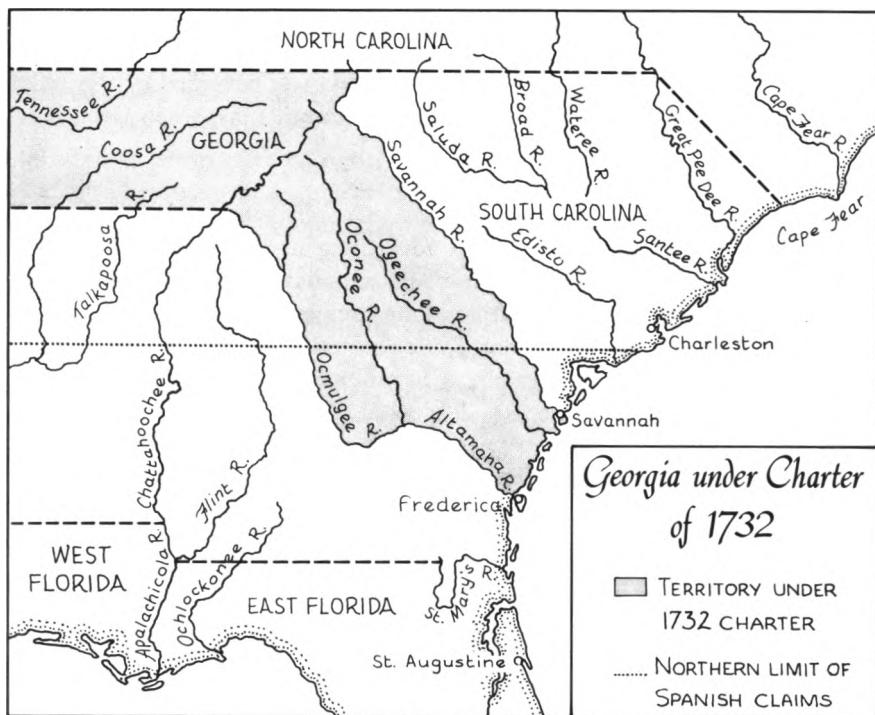
Oglethorpe, member of a prominent family and educated at Oxford, had spent years in military service before turning to politics. He was elected to Parliament in 1722, and nine years later became chairman of a committee to investigate prisons. He found that there were in jail thousands of persons condemned as hardened criminals, but whose only offense was poverty and inability to pay their debts. According to Oglethorpe's modest statement, his investigations resulted in the release of some ten thousand debtors; others have claimed that almost a hundred thousand were liberated. To "relieve debtors" and other unfortunates, Oglethorpe, Lord Perceval, and a group of their friends petitioned George II to grant them a charter to the area south of Carolina, which they, as trustees, would develop into an asylum for the oppressed.⁵

The Georgia Charter of 1732. In 1732 Oglethorpe and nineteen other trustees,⁶ all named in the charter, were granted royal permission to settle the terri-

⁴ Dr. Thomas Bray, an Anglican clergyman, commissary, and author of several books about religious conditions in the colonies, had been the leader in founding both the Society for the Promotion of Christian Knowledge and the Society for the Propagation of the Gospel in Foreign Parts. An organization of some of his most ardent followers was formed in 1723, which took the name of Bray's Associates on the death of their leader in 1730. Lord Perceval, one of the most active members of this group, discussed with Oglethorpe in 1730 a scheme to send to America debtors "who were starving about the town for want of employment."

⁵ The king had purchased the shares of seven of the eight lords proprietors of Carolina in 1729, and both North and South Carolina were now royal provinces.

⁶ Among the seventy-one persons who served as trustees of Georgia between 1732 and 1751 were clergymen, statesmen, philanthropists, country gentlemen, businessmen, lords,



tory between the Savannah and Altamaha rivers and from sea to sea, including "all islands not more than twenty leagues from the eastern shore." This region had been part of South Carolina, but had been retained by the crown when it purchased the Carolina proprietary interests in 1729. The Georgia colony was unique in almost every respect. Its charter, six thousand words long, was much more detailed than earlier royal patents. The grantees were not landlords comparable to Lord Baltimore, William Penn, or the Carolina proprietors; in fact, they could not even hold land and were not allowed any compensation. They were simply authorized to hold the colony "in trust" for a period of twenty-one years, at the end of which time the colony would revert to the crown. Though many historians have referred to Georgia as a proprietary province, it was almost royal from the start.

Liberty of conscience was granted to all except Catholics. As in other charters, the settlers were to enjoy the "rights of Englishmen," but there was no clear-cut provision for representative government. A modified form of proprietary rule was set up. A governor (the trustees called him "President") and a "Common Council," appointed by the trustees and supposedly aided by representatives of

and commoners. Besides those mentioned above, the most active trustees were James Vernon and Anthony Ashley-Cooper. Benjamin Martyn was secretary of the Board of Trustees for the whole period, and he became the colonial agent when Georgia was royalized.

the qualified voters, were to be the lawmaking body. In actuality, however, the government was in the hands of the Council, which passed only three laws during the whole period of trustee rule. Instead, the colony was governed by regulations rather than by laws, and no popular assembly met until 1751, when Georgia was on the verge of royalization.

Objectives of Georgia. The settlement of Georgia was accompanied by an extensive campaign of promotion and advertising in which humanitarianism, religion, philanthropy, imperial defense, and national wealth and prestige were stressed. One writer called the project "the greatest social and philanthropic experiment of the age." The London *Daily Journal* reported, "We hear there is a noble Settlement going to be made on Savanna River in South Carolina, and that Gentlemen of great Honour and Wealth are at the Head of the Affair." More than a hundred clergymen raised money and collected almost four thousand religious books and tracts. Sermons were preached and pamphlets printed, portraying Georgia as a new "Macedonia crying for help." Benjamin Martyn, Secretary of the Board of Trustees, published two promotional books,⁷ in which he maintained that Georgia would render England independent of foreign nations for such articles as wine, silk, hemp, and potash; that it would "relieve England of overpopulation, give a new start in life to the poor and unfortunate, and make much better the lot of those left in England"; it would also be a refuge for persecuted Protestants of Europe; and "its air and soil can only be fitly described by a poetical pen, because there is little danger of exceeding the truth." His claim that "one of the Florida Indians was 300 years old and his father was still living at the age of 350" pushed truth a little too far.

Nevertheless, Englishmen in many walks of life were interested in the venture. Parliament voted £10,000 for the enterprise, and made many later appropriations.⁸ The Bank of England made a sizable contribution, and many individuals donated funds. Others gave such miscellaneous articles as olive plants, cotton seed, madder roots, lucerne seed, Egyptian kale, Neapolitan chestnuts, cartridge boxes and belts, powder flasks, bayonets, swords, farm implements, clothing, food, wine, and beer. Among the thousands of books donated, largely by clergymen, was one written by Hales, one of the trustees, entitled *A Friendly Admonition to the Drinkers of Gin, Brandy, and other Spirituous Liquors*.

Selection of Settlers. The trustees of Georgia did a more thorough task of screening prospective settlers than any other English colony had done. They appointed a commission to visit the debtor prisons to find likely prospects. They announced that people would be accepted

of reputable families, and of liberal or, at least, easy education; some undone by guardians, some by lawsuits, some by accidents of commerce, some by stocks and bubbles,

⁷ *Reasons for Establishing the Colony of Georgia with Regard to the Trade of Great Britain, and A New and Accurate Account of the Province of South Carolina and Georgia.*

⁸ The total Parliamentary grants for Georgia during the period of the trusteeship were \$1,066,628.

and some by suretyship.... These are the people that may relieve themselves and strengthen Georgia by resorting thither, and Great Britain by their departure.

Months were spent in selecting the first group of settlers; no one was accepted without careful investigation, and no debtor until he had satisfied his creditors. The offers to prospective migrants were more attractive than those of the older colonies. They were to be given free passage, fifty acres of land, agricultural implements and seeds, support until the first harvest, and all the "rights of Englishmen."

The Settlement of Savannah. By the fall of 1732 more than a hundred settlers had been accepted. Before sailing with Oglethorpe on the *Anne*,⁹ these "sober, industrious, and moral persons" appeared before the trustees, signified their final desire to go, and signed articles of agreement. The expedition arrived at Charleston on January 13, 1733, and departed for Beaufort the next day. Accompanied by Governor William Bull of South Carolina,¹⁰ who was eager to establish a buffer between his colony and Florida, they set out for Georgia.

There Oglethorpe and Bull laid out the town of Savannah in orderly fashion on a bluff about eighteen miles above the mouth of the Savannah River. Oglethorpe obtained permission of the Yamacraw Indians to plant this town, and with the help of Mary Musgrove, the Indian wife of a South Carolina trader, and Tomo-chi-chi as interpreters, he held a conference with the Greeks, who agreed to "become allies of the British government and to grant to Georgia all land between the Savannah and Altamaha rivers as far as the tide ebbed and flowed, excepting a small tract above Yamacraw Bluff where they might encamp when they should come to visit Savannah." To prevent the Indians from being cheated by unscrupulous traders, Oglethorpe established a schedule of prices: ten buckskins for one gun, five buckskins for one pistol, and one buckskin for a blanket.

The trustees were also anxious to safeguard the settlers. Therefore, they prohibited the importation of rum and brandy, as it was believed that the use of these intoxicants would detract from sober industry. Slavery was also banned because that type of labor would provide too much competition for the average white worker, and perhaps lead to a colony "void of white inhabitants, filled with blacks, the precarious property of a few." Individual land grants were limited to five hundred acres; thus, the large plantation system would not develop to the disadvantage of the small farmer. Every effort was made to encourage production of commodities for which there would be a certain imperial market. Emphasis was placed upon winemaking and production of silk, the latter to be aided by importing mulberry trees upon which silkworms lived. In

⁹ Ten tuns (2,520 gallons) of beer were aboard, and five tuns of wine were added at the Azores. Rum was considered dangerous, but beer and wine were "necessities."

¹⁰ The South Carolina legislature voted £2,000 to assist Georgia, and later made additional appropriations. Individual Carolinians gave livestock, rice, and other supplies. Several of the most important streets of Savannah, such as Bull and Johnson, were named for South Carolina leaders who assisted in planting the Georgia colony.

turn, these two industries would support mercantilism and the self-sufficiency of the empire.

These various plans did not work out satisfactorily. The slow growth of the colony, the unrest and complaints of the settlers,¹¹ and unfavorable comparisons with South Carolina led to the gradual removal of all charter or trustee restrictions. In 1740 the size of land grants was increased to two thousand acres, two years later rum and brandy could be imported, and in 1749 the ban against slavery was removed. The rule against Catholics and Jews was modified some years later, and by the close of the colonial era a number of Jews were to be found in Savannah.

Though Georgia was one of the most widely advertised colonies, its slow growth was a definite disappointment to the trustees. And, contrary to popular view, the majority of the early settlers were neither debtors nor English. A sizable number of Lutheran Salzburgers,¹² led by Johann Martin Bolzius and partly financed by the English Society for the Promotion of Christian Knowledge, established the town of Ebenezer in 1734. Not satisfied with their location, they moved two years later to the "Red Bluff" on the Savannah River, where they developed agriculture and industry so effectively that the town soon exceeded Savannah in population. In 1735 a group of approximately one hundred Moravians was sent to Georgia by their leader, Count Nicolaus Zinzendorf, under the supervision of Bishop A. G. Spangenberg, and partly financed by the trustees. They were given a land grant on the Ogeechee River, but most of them remained in the Savannah area. As pacifists, they were never happy in their new location, and with the outbreak of war with Spain in 1739, all the Moravians left Georgia, the greater portion moving to Pennsylvania. About the same time, some 180 Scottish Highlanders sent to Georgia by the trustees founded the town of Inverness in the district of Darien on the north bank of the Altamaha River. This outpost was considered the first line of defense against the Spaniards, who were located only a short distance to the southward.

As this was not enough to prevent continued Spanish encroachments, Oglethorpe had forts built on various coastal islands: St. Andrews, Cumberland, and St. Simon's opposite the mouth of the Altamaha, and Amelia opposite the mouth of the St. John's River, within striking distance of St. Augustine. The town of Frederica was also established for military reasons. Oglethorpe made further military preparations in the interior by building Fort Okfuskee on the Tallapoosa (in present Alabama) and by promoting the establishment of Augusta, on the upper Savannah, as a military post and trading center for the back country.

The Government of Georgia. The government of Georgia during the trusteeship was unique, paternal, and unsatisfactory to all parties concerned. The

¹¹ John and Charles Wesley, who were in Georgia at the time, were leading troublemakers. They agitated for the removal of restrictions against slavery, contending that Negroes, even though enslaved, would have the advantage of conversion to Christianity.

¹² It has been estimated that some thirty thousand Lutherans had fled from the Bishopric of Salzburg in the Austrian Alps.

trustees, most of whom remained in England, made all land grants, drafted all regulations, and selected provincial officials. There was no legislature, and no governor was ever appointed, although Oglethorpe, acting as the trustees' "agent," was virtually governor as well as military leader. But his frequent trips to England and his military forays against the Spaniards kept him so preoccupied that he could not give proper attention to local matters of vital importance. Internal affairs were therefore neglected, and the officials of the several towns—bailiffs, constables, justices of the peace, and the trustees' "storekeeper" in Savannah—took over control of town government.

The Trusteeship Ends. At first there were no counties, but the constant complaints against the arbitrary rule of Thomas Causton, Oglethorpe's chief lieutenant, led the trustees to order the creation of two counties, Savannah and Frederica, in 1741. Each was to have a trustee-appointed president and four assistants. This new plan was put into effect only in Savannah. Two years later the president of Savannah became president of the whole province, with three local bailiffs acting as his assistants or council. Popular discontent continued and finally, in 1751, an assembly was called, but it had no lawmaking power, only the privilege of suggesting laws to the trustees. By this time, however, the trustees realized their plans had failed. They surrendered their charter two years before the date set for termination of the trusteeship, and Georgia reverted to the crown. Typical royal government was immediately established, and a period of order and progress began. By 1760 the settled area had expanded; many new plantations were established; rice, indigo, some silk, and a large variety of food crops were produced; and population had increased to about nine thousand, of whom three thousand were slaves.

Despite the difficulties and the slow growth of Georgia under the trustees, the settlers escaped some of the problems and controversies that had plagued other colonies. They had no taxes because of the vast sums poured into the enterprise from abroad. They had no prolonged and bitter conflicts between governors and legislatures over such vital matters as salaries, paper currency, fortifications, and the selection of local officials—for the obvious reason that they had no legislature. Nor did they have to worry about British disallowance of laws, because they had no laws, but only regulations, which were not subject to royal veto.

The real significance of the founding of Georgia, therefore, was the completion of English control over the Atlantic coastal area from Maine to Florida, and the extension of the Anglo-Spanish frontier.

THE NEW IMMIGRATION

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The population of England's mainland colonies increased tenfold between 1689 and 1775, a remarkable fact in itself, but what was more significant was the change in the character of that population. Most of the seventeenth-century settlers were from England, only the Middle colonies having sizable numbers from other countries. At least four fifths of the colonials prior to the Glorious Revolution of 1688-1689 were "transplanted Englishmen," a fact that "served to fix governmental institutions and political ideals in an English mold and make English the general language of the colonists." By 1760, however, it was estimated that two thirds of the colonial inhabitants were American-born, descended in the second, third, or fourth generation from original immigrants. Benjamin Franklin and Patrick Henry were the sons of original settlers; Thomas Jefferson, a grandson; John Hancock, John Adams, and George Washington, the great-grandsons; and Nathanael Greene was of the fifth generation. These men and thousands of others were "Americans," not "transplanted Englishmen."

The phenomenal growth of population in the eighteenth century was the result of two factors, natural increase and foreign immigration. It is true that the natural increase was great, as it had been in the previous century. As one contemporary observed, "Marriages were early and frequent, most houses being full of little ones," while another noted that most married women were "in the increasing way." But it should be observed also that there were many childless marriages, that the mortality rate, especially of infants, was very high, and that life expectancy was less than thirty-five years. Some families, it is true, had as many as fifteen or twenty children, but rarely did half of them reach maturity. The average colonial family was perhaps much smaller than some writers have led us to believe, a fact amply demonstrated by an examination of any graveyard dating back to the colonial era. Therefore, the real explanation of the tremendous increase in population is to be found in the "swarming of the non-English" to America and the rapid growth of Negro slavery.

The Negroes. The largest single new element in the eighteenth-century colonies was the Negroes, the vast majority of whom were slaves. Negro slavery had been introduced into the colonies at an early date, in some at the very beginning of settlement but the institution had grown slowly prior to 1713. After that date

it increased rapidly, as a result of a combination of factors: encouragement by English authorities, the Asiento with Spain, the spread of the plantation system in the South (and it should be noted that it was the plantation system that produced slavery, not slavery the plantation), the alleged superiority of the Negro slave as a laborer over the white indentured servant, the profits to be realized from the slave trade, both foreign and domestic, and the fact that slavery was legal in all colonies. Yet, in the eighteenth century slavery was already becoming an institution peculiar to the South. Only in New York were there slaves comparable in number to even the smallest slaveholding colony of the South. The distribution of white and Negro population in 1760 was as follows:

	TOTAL	WHITES	NEGROES	% OF NEGROES
New England and Middle colonies	878,000	791,000	87,000	9.9
Maryland	164,000	108,000	56,000	34.1
Virginia	315,000	165,000	150,000	47.6
North Carolina	130,000	110,000	20,000	15.3
South Carolina	100,000	30,000	70,000	70.0
Georgia	9,000	6,000	3,000	33.3

Until about 1763 the rate of population increase of both whites and Negro slaves was approximately equal. From that time until the outbreak of the Revolution the number of Negro slaves, especially in the South, increased at a more rapid pace than did the white population.

White Immigration. Even more significant than the increase of Negro slavery in the colonies was the flood of immigration of Scots, Germans, French, Welsh, Irish, and other "foreigners." This influx, begun in the latter half of the previous century, slowed down in the two decades prior to 1713, gained momentum after the Peace of Utrecht, and reached flood tide about the middle of the century. The most impelling motives for this immigration were wars, past, present, and anticipated; poverty, unemployment, and general economic unrest; religious persecution, legal discriminations, and harsh and vindictive penal systems; love of adventure and the desire to start life anew—to "become somebody" in the New World. There was a general feeling among workers and peasants of Europe that America offered a religious asylum, a land of peace and security, an opportunity for better wages and cheaper land, and a chance to escape "the grasp of the tax-collector and the sound of marching armies."

Also important in the promotion of immigration were the activities of all those interested in encouraging settlement: proprietors of colonies, legislatures, land companies and individual speculators, merchants, ship captains, and others. America was widely advertised in many countries of Western Europe. It was portrayed in glowing, if not exaggerated, terms as a place where land was free, or at least very cheap, where the soil was fertile and the climate salubrious, where there was political and religious freedom and economic opportunity unlimited. Pennsylvania made the most extensive promotional efforts and, partly

as a result, received the largest number of immigrants, but most of the colonies were beneficiaries of the widespread advertising campaign.

The Germans. The first non-English people to migrate to the English colonies in sizable numbers were the Germans. One of the major causes for this exodus was war and its aftermath. As a result of the Thirty Years' War (1618-1648), one of the most deadly and destructive in history, "an appalling proportion of the population was swept away—in battle, by the cruelty of a brutal soldiery, and by privation and disease." In some German provinces at least two thirds of the livestock were also destroyed. Agriculture, industry, and trade were ruined. Nor did the region have an opportunity to recover, for wars with France continued intermittently for the next fifty years. No part of Europe suffered more than the Upper Rhine Valley, known as the Palatinate, which was repeatedly invaded by French armies.

To make matters worse, Germany was divided into small states, each governed by a petty despot who levied heavy taxes and otherwise exploited his subjects. A depression in the woolen cloth industry, the result of British competition, added to the woes of an already desperate people. Furthermore, religious bigotry and intolerance were rife. Because the religion of the ruler was the religion of the state, Catholics were persecuted by Protestant rulers, and vice versa. Even some Protestants, especially such Pietist sects as the Mennonites, were attacked by their fellow Protestants. The situation in the German cantons of Switzerland was also bad. The feudal dues imposed by local rulers and popular resentment against the practice of selling the military services of the Swiss to foreign princes had created tremendous unrest and set the stage for a large exodus. Migrations to other parts of a war-torn, despotic Europe would not have brought the relief these depressed and persecuted groups desired, but English America seemed to offer the solution to their intolerable political, economic, and religious plight.

Acquiring funds to pay their passage to the English colonies was the paramount problem for most of these unhappy and unfortunate people. To their rescue came many English and American promoters of colonization. The crown itself, some colonial governors, and a few legislatures rendered valuable assistance. But even more important—and less praiseworthy—were the activities of land companies, ship captains, and merchants who agreed to advance passage money in return for bonds of indenture. The intermediaries, who recruited the German immigrants, were called "newlanders" (Germans posing as colonists who had become wealthy in America); they described in glowing terms the opportunities of the New World, where all could become wealthy in a short time.¹ These fabulous tales fell on receptive ears, and the exodus began.

¹ One account stated: "They would convince one that there are in America, none but Elysian fields abounding in products which require no labor; that the mountains are full of gold and silver, and that the wells and springs gush forth milk and honey, that he who goes there as a servant becomes a lord; as a maid, a gracious lady; as a peasant, a nobleman. . . . Law and authority, they say, is created by the people and abrogated at their will."

The German migration to the colonies prior to 1700 was only a trickle compared to what it became in the next century. It was limited largely to the Pennsylvania area and consisted in the main of dissenting religious sects. As a result of William Penn's visit to the Rhineland in 1677, a small group of Pietists from Frankfort-on-Main purchased fifteen thousand acres of land in Pennsylvania. In 1683 they sent Francis Daniel Pastorius and Johann Kelpius as their agents, and shortly thereafter more land was bought and Germantown founded.² A few smaller German settlements were made during the next decade, but it was the devastation of large parts of the Palatinate by French armies in 1707 that gave momentum to the first great German migration to America.

Also contributing to the movement were the many books, pamphlets, and promotional tracts, some with titles printed in letters of gold reputed to have come from the colonies, which encouraged emigration to America. Perhaps the leading advocate was Joshua von Kocherthal, a Protestant minister and author who published a book, which went through several editions, describing in glowing terms the economic possibilities for fellow Germans in the colonies, especially Carolina. In 1708 he received permission from Queen Anne to transport a group of his countrymen to England. After a short stay in London, these Germans continued across the Atlantic and settled in New York colony, where they founded Newburgh.

Queen Anne was not alone in supporting this migration financially and otherwise. British statesmen also manifested keen interest, and Parliament passed an act naturalizing "foreign Protestants" in 1709.³ Economists of the mercantile school did their part by pointing out in their writings that "population is wealth," and also stressing the importance of skilled artisans to English industry and to general development of the empire. These factors, accompanied by increasing distress in the Rhineland as a result of the unusually severe winter of 1708-1709, led to a tremendous movement of Germans to London—an estimated thirteen thousand to fifteen thousand in 1709 alone.

What to do with these "poor Palatines" was a question of the first magnitude. London was burdened with the acute problem of housing and feeding these newcomers, who were camped in tents in almost every open space—a thousand tents on Black Heath alone. The Germans were supported by charity and by grants from Parliament, a situation not too pleasing either to themselves or to Englishmen. Emigration seemed to be the only solution. Accordingly, several thousand were sent to Ireland, a few (principally Catholics) were returned to Germany, and the majority were transported to America. More than three thousand went to New York, where Governor Robert Hunter planned to have them produce naval stores in the Hudson Valley in conformity with the current mercantilistic thought. This project was badly managed and soon failed, but the

² W. I. Hull, in *William Penn and the Dutch Quaker Migration to Pennsylvania* (1935), credits the Dutch Mennonites with the first settlement of Germantown. He does not deny that the greater portion of the people in that town were Germans.

³ This law granted the privileges of native-born subjects to those who took an oath of allegiance and partook of the Sacrament. It was repealed in 1711.

Palatines remained in the colony, though moving on three years later, under the guidance of the elder Conrad Weiser, to the Schoharie Valley, and still later to the Mohawk Valley.⁴ Another group, consisting of some 650 Palatines, were settled at New Bern, North Carolina, in 1710, under the leadership of Baron Christoph von Graffenried,⁵ head of a Swiss land syndicate. This community prospered for more than a year, but then was almost destroyed by Indians in the Tuscarora War (1711-1713).

The great German migration to the English colonies, and particularly to Pennsylvania, began about 1717 and continued until the American Revolution. During the first decade more than fifteen thousand arrived in Pennsylvania, settling chiefly in Lancaster, Berks, Chester, and Bucks counties. Between 1727 and 1740 about fifty thousand reached the colony, but during the next fifteen years the number dropped to about twenty thousand. Some of these later arrivals remained in the vicinity of Philadelphia; most of them, however, were drawn into the valleys of the interior by their desire for cheap and fertile lands. These immigrants and their offspring constituted about one third of Pennsylvania's population at the close of the colonial period.

Meanwhile, another wave of Germans had arrived in America. As early as 1707 members of the German Reformed Church settled in Morris County, New Jersey, and a few years later in Somerset, Bergen, and Essex. Shortly thereafter, Lutherans and others located in Hunterdon, Somerset, and Sussex counties. By 1729 there were German communities in Maryland, in the Baltimore area and at Frederick. As early as 1726 the stream of immigration was moving from Pennsylvania along the mountain slopes to the south and west. Germans from Lancaster County settled near Elkton, Virginia, followed shortly by others from York County, led by Jost Hite, who founded Winchester. In 1734 Robert Harper and a German group settled Harpers Ferry, and within a few years there were Germans throughout the Shenandoah Valley and as far west as the Great Kanawha River.

By the late 1740's the southward migration of Pennsylvania Germans had reached upper North Carolina. In 1753 it was said that Anson, Orange, and Rowan counties, recently created in the Piedmont, had three thousand fighting men, "for the most part Irish Protestants and Germans, brave industrious people." In the same year the Wachovia Tract, purchased from the Earl of Granville by the Moravian Brethren, had its first settlement.⁶ In 1771 it was reported that the four most western counties in North Carolina had "near three thousand German Protestant families."⁷ The first German settlements in South

⁴ A few of them finally settled in Bucks and Berks counties in Pennsylvania.

⁵ Sometimes called de Graffenried. He purchased 17,500 acres from the Carolina proprietors along the Neuse and Trent rivers for £175. The town of New Bern was located between these rivers.

⁶ The town of Bethabara was founded in 1753, followed shortly by Bethania and Salem (1766). The latter became the leading center of Moravians in North Carolina and, for that matter, in the whole South.

⁷ Faust estimated the German population in the colony in 1775 at eight thousand, a figure that is perhaps too low because of the Anglicizing of so many family names, such as

Carolina were in the vicinity of Charleston. In 1732 some Germans settled at Beaufort, and within a decade or so there were villages along the Edisto and Congaree rivers, particularly in Orangeburg and Lexington counties. There was also a German-speaking Swiss community at Purrysburg. Mention has already been made of the German settlements at Ebenezer and other places in Georgia.

New England was the only section that did not attract a large number of German settlers. Perhaps the largest single German community was the one in Maine, founded by Samuel Waldo.⁸ The German percentage in the population of the other colonies—now states—as revealed in the census of 1790, was:

New York	8.2	Virginia	6.3
New Jersey	9.2	North Carolina	4.7
Pennsylvania	33.3	South Carolina	5.0
Delaware	1.1	Georgia	7.6
Maryland	11.7		

By habit and training, the average German in colonial America was industrious, thrifty, and law-abiding. Unaccustomed to slavery and unacquainted with Negroes, he was inclined to rely on his own labor or that of his family. He became the best farmer in Pennsylvania, or in Carolina, or in whatever colony he located. Some turned to industry, with special attention to textiles, papermaking, and glass manufacturing. A traveler in 1783 described the Germans as “distinguished above the other inhabitants for their industry and diligence in agriculture and the crafts . . . which is recognized by most of their fellow-citizens, but tempts very few to imitate.”

The average German settler was also very religious and took great interest in education. Language difficulties, however, often stood in the way of ready assimilation into American life.

The Scotch-Irish. The most numerous and most widespread of the non-English immigrants were the so-called Scotch-Irish. Perhaps three hundred thousand migrated to America in the eighteenth century, and they settled in considerable numbers in every English province, but chiefly south of New England. The term *Scotch-Irish* is misleading. It is geographical, not national; it does not refer to a mixture of two national stocks, but rather to Lowland Scots who settled in northern Ireland or to the descendants of such people. In Ireland these Scots were usually known as Irish Protestants or Irish Presbyterians, and in the colonies they were called Scotch-Irish or Irish, although they disliked the latter designation.

The story of how James I of England “planted” the “six escheated counties” of Ulster with Lowland Scots in an effort to counteract the influence of disaffected Catholics and “make Ireland a civil place” need not be recounted here.⁹

⁸ Maine’s German population in 1790 was estimated at 1.3 per cent of the total. This was the only New England area with as high as 1 per cent.

⁹ James I’s action in transplanting Scots into Ireland was taken on the advice of leading Englishmen such as Lord Chichester and Francis Bacon, who advised the king to be a “master builder and reducer of Ireland.”

During his reign and for the greater portion of the seventeenth century thousands of Scots of their own volition moved to Ireland. By their energy and skill they transformed Ulster into a prosperous region; they built up an extensive cattle industry and developed excellent dairy methods. Thereupon English agrarian interests, feeling the pressure of this new competition, prevailed on Parliament to prohibit the importation of those products into England. The enterprising Scots then shifted to sheep raising and the manufacture of wool. Again Parliament yielded to the pressure of English economic interests by passing the Woolens Act of 1699, which prohibited exportation of Irish wool and woolen cloth to any place except England and Wales.

Though this restriction was a crippling blow to the Ulsterites, it was only one of many problems confronting them. The Test Act of 1704, passed through the influence of the High Church party, excluded Ulster Presbyterians from all important civil and military offices, made it illegal for them to teach school, and denied them many other civil and religious rights. Presbyterians in Ireland were fined for practicing their form of worship, and the doors of many of their churches were nailed shut.

The most potent and constant causes of migration from Ulster to the English colonies were agrarian and economic. The first large exodus of 1717-1718 was primarily the result of destruction of the woolen industry, disabilities resulting from the Test Act, and the doubling and trebling of rents by absentee landlords. The great migration of 1727-1728 was caused by the same forces, plus a series of poor harvests, culminating in widespread famine. The *Pennsylvania Gazette* of November 29, 1729, referring to the Ulsteries, stated, "Poverty, wretchedness, misery, and want are become almost universal among them." And Jonathan Swift, himself Irish, wrote in his famous *Irish Tracts*: "Whoever travels throughout this country . . . would hardly think himself in a land where either law, religion, or common humanity was professed. . . . The old and sick . . . every day dying and rotting by cold and famine and filth and vermin." In the severe famine of 1740-1741 an estimated four hundred thousand persons in Ireland died of starvation, and for the next decade there was a tremendous exodus to America. This tide slackened during the Great War for the Empire, but resumed again in 1771-1773, largely as a result of a sharp decline in the linen industry and a new outburst of rack-renting.

The causes of the large movement of Ulster Scots to America have been eloquently described by the noted English historian James A. Froude:

Religious bigotry, commercial jealousy, and modern landlordism had combined to do their worst against the Ulster settlement. . . . Vexed with suits in ecclesiastical courts, forbidden to educate their children in their own faith, treated as dangerous in a state which but for them would have had no existence, and associated with Papists in an Act of Parliament which deprived them of their civil rights, the most earnest of them at length abandoned the unthankful service. . . . During the first half of the eighteenth century, Down, Antrim, Armagh, and Derry were emptied of their Protestant families, who were of more value to Ireland than California gold mines.

Still another reason for the large Scotch-Irish migration was the activity of ship captains, land companies, and other promoters interested in procuring indentured servants for the colonial labor market. Most of the Ulsterites were "redemptioners," as they did not have money to pay their passage to the New World and were forced to sell their services for a fixed period of years. Many thousands of servants were brought over, particularly to Virginia and Maryland. An Irish archbishop reported in 1728 that "above 3,200" Irish had been shipped to America in the previous three years, and "that only one in ten could pay his own passage." A contemporary Irish magazine estimated that from three to six thousand annually migrated in the years between 1725 and 1768, and the naval records reveal that 5,835 "Irish servants" landed at Annapolis, Maryland, in the thirty years after 1745.¹⁰

The first large-scale immigration of Scotch-Irish was to New England, where Thomas Lechmere of Massachusetts had advocated their use as a "barrier against the Indians." One writer stated that fifty-four shiploads of them, most of whom were indentured servants, arrived there in the six years after 1714. The year this immigration reached its peak, 1718, Lechmere became worried, complaining, "Those confounded Irish will eat us up. Provisions being most extraordinarily dear, and scarce of all sorts." The need for indentured servants was not so great in New England as elsewhere, and, in contrast with many other colonies, that section made no offer of free lands to servants when their indentures expired. The religious order in New England was also distasteful to the Irish Presbyterians, who were required to attend existing churches and contribute to their support.

Thereafter, most Scotch-Irish settled south of New York. Pennsylvania received by far the largest number, mainly because of its fertile soil, healthful climate, favorable terms of granting land, and reputation for political, religious, and economic freedom. Philadelphia became the chief port of debarkation of the Ulster Scots, and Pennsylvania became the chief distributing point for the Scotch-Irish population of the Southern colonies, as it was for the Germans and Welsh. A few Ulsterites had settled in Pennsylvania prior to Penn's death, but the large influx began about 1717. Within a few years James Logan, secretary of the province, who had been eager to have these newcomers, complained about their "audacious and disorderly manner," particularly of the "bold and indigent strangers" who squatted on lands in the area in dispute between Maryland and Pennsylvania. When five thousand arrived from Ireland in one year (1729), he wrote, "It looks as if Ireland is ready to send all its inhabitants hither."

By this time the Scotch-Irish had taken up a large portion of the land in the central and back country, and in 1730 the vanguard reached the foothills of the Alleghenies. As population increased, land prices and rents advanced to such an

¹⁰ See Abbott E. Smith, *Colonists in Bondage* (1947), for an excellent account of indentured servitude in America. Numerous appendices give statistics on the numbers of "Irish servants" brought to the English colonies.

extent that they were soon twice as high in Pennsylvania as in Virginia, and four times as high as in Carolina. As early as 1732 Scotch-Irish migrants from Pennsylvania were settling in the fertile Valley of Virginia, and during the next two decades spread widely over that area. The fighting qualities of these people is illustrated by an epitaph on a late eighteenth-century tombstone in "the Valley":

Here lies the remains of John Lewis, who slew the Irish lord, settled Augusta county, located the town of Staunton, and furnished five sons to fight the battles of the American Revolution.

Although the Scotch-Irish had no language barrier to isolate them from their neighbors, as the Germans had, they were not easily assimilated. The average Ulster Scot was frequently "clannish, contentious, and hard to get along with." He was usually set in his ways, as illustrated by the prayer attributed to him: "Lord, grant that I may always be right, for Thou knowest I am hard to turn." Nevertheless, he was generally hard-working and thrifty, and it was said that a "Scotch-Irishman is one who keeps the commandments of God, and every other good thing that he can get his hands on." When Pennsylvania authorities complained that the Scotch-Irish were settling on lands without legal title, they received the reply that it was "against the laws of God and Nature, that so much land should be idle while so many Christians wanted it to labour on."

Despite these ascribed attributes, or perhaps because of them, the Scotch-Irish made important contributions to the growth, expansion, and development of most of the English colonies. They established Presbyterian churches over a wide area. They also founded many schools and in several colonies took the lead in the movement for higher education. They had a flair for politics and came to hold a large number of governmental offices. Although not as good at farming as the Germans, they developed agriculture throughout the whole back country. And they also promoted a variety of local industries, having among their number many weavers, coopers, joiners, wagonmakers, blacksmiths, hatters, ropemakers, and other skilled artisans. They possessed fighting qualities acquired in their rough, hardy, outdoor life, which stood them in good stead on the frontier. All in all, they exerted a tremendous influence in shaping the history of the American nation.

Because of the difficulty of distinguishing the Scots from Ulster and the Scots from Scotland, population figures are sometimes misleading. The following percentages of both groups of Scots in state populations, based on the census of 1790, are probably as reliable as can be obtained:

New Hampshire	10.8	Delaware	14.3
Massachusetts	7.0	Maryland	13.4
Rhode Island	7.8	Virginia	16.4
Connecticut	4.0	North Carolina	20.5
New York	12.1	South Carolina	25.0
New Jersey	14.0	Georgia	27.0
Pennsylvania	19.6		

The Highland Scots. At the same time as the Scotch-Irish migration, a smaller group of Scots, the Highlanders, was settling in several of the English colonies. The earliest, largest, and most numerous community was the one in North Carolina, the only large group of immigrants to come to that province directly from its native land. As early as 1732 a few Highlanders had settled in the Upper Cape Fear Valley, where they were pleased with the "salubrious climate, fertile soil, and liberal government." In the next decade approximately five hundred of these hardy souls located in the area of present Fayetteville. Happy with their prospects, they petitioned the legislature in 1740, saying: "If Proper encouragement be given them, they'll invite the rest of their friends and acquaintances over." The Assembly, eager to encourage immigration and prodded by Governor Gabriel Johnston, a Lowland Scot himself, voted a ten-year tax exemption to all Highlanders who would come to the colony in groups of at least forty.

Meantime, conditions in Scotland were becoming more distasteful to the Highlanders. Resentment against the enforced union with England under the Act of 1707 and the efforts to restore the Young Pretender ("Bonnie Prince Charlie") to the English throne led to open warfare, culminating in a crushing Scottish defeat at the battle of Culloden (April 1746) by a British army under the "Bloody Duke" of Cumberland. As an aftermath, the clan system, so dear to the hearts of Highlanders, was broken up, landed estates were confiscated, and Scots were forbidden to bear arms and to wear clan plaids and tartans. Many estates were taken over by British officers and soldiers, who substituted sheep raising for ordinary farming, and thus threw many Scots out of work. Rents were soon increased, and there was economic distress throughout the Highlands.

Also after Culloden, the king offered pardon to all "rebels" who would take an oath of allegiance to the House of Hanover and emigrate to America. Thousands took advantage of this offer, and there developed "a Carolina mania which was not broken until the Revolution." Indeed, one of the favorite dance hall songs in the Highlands was "Going to seek a fortune in North Carolina."

The Great War for the Empire interrupted this immigration, but with the advent of peace in 1763 it was resumed on a larger scale than ever. Thousands of Scots came to America from Scotland proper and also from the Western Isles. From 1768 to 1771 some sixteen hundred Highlanders arrived in the Cape Fear area. The year 1773 witnessed the heaviest influx, approximately four thousand, the bulk of whom went to North Carolina, where they found "the largest and most important settlement of Highlanders in America." By the opening of the Revolution there were an estimated fifteen to twenty thousand Highland Scots in this one province, and there were thousands more scattered elsewhere among the other English colonies.

In contrast with the Germans and Scotch-Irish, a sizable number of Highlanders were men "of wealth and merit." In the 1772-1773 migration, for instance, it was claimed that each person carried an average of £4, and that the

fifteen hundred emigrants from County Sutherland brought with them £7,500, which "exceeds a year's rent of the whole county."

Like the Germans, the Highlanders had a serious language barrier. They continued to speak Gaelic, and an early Presbyterian missionary, Hugh McAden, reported in 1756 that many of them "scarcely knew one word of English." But Gaelic gradually did give way to English, although there were survivals of the ancient tongue for more than a century. Although most of the Highlanders became farmers, many merchants and skilled mechanics were included among them. Some also entered the professions and made distinctive contributions in politics, religion, education, and military affairs.

The French Huguenots. Another significant element in the colonial population was the French Huguenots. This Protestant group in a strong Catholic nation had enjoyed toleration and comparative freedom for almost a century, but the revocation of the Edict of Nantes in 1685 was accompanied by a wave of bigotry, intolerance, and persecution of non-Catholics. Many Huguenot homes were invaded and desecrated by troops of Louis XIV; those individuals caught trying to escape from France were punished by imprisonment or service in the galleys. Despite the ruthless efforts to stop their exodus, thousands of these unhappy souls, seeking peace and freedom, managed to escape to Holland and other nearby countries. Eventually, many of them located in the English colonies. In proportion to their numbers, they "probably represented a larger degree of capacity and culture than any other racial addition."

The first sizable immigration of Huguenots was to New England and New York. Within a few years after the revocation of the Edict of Nantes, about one hundred and fifty Huguenot families settled in New England, and another two hundred families in New York, where New Rochelle became their chief center.¹¹ Shortly thereafter, some Huguenots went to the Pennsylvania-Delaware region. Among the families in New England and the Middle colonies were the Reveres, Faneuils, Bowdoins, Bayards, DeLanceys, Jays, Boudinots, Delanos, and Du-ponts.

Before the end of the seventeenth century, Huguenots were brought to Virginia "to superintend the planting of vineyards and the manufacture of wine, to introduce silk culture, and to make experiments with the soil to determine the suitability for rice culture."¹² Their chief settlement was at Mannakintown on the James River. Among the Huguenot families in Virginia were the Fontaines and the Maurys, as well as some of George Washington's forebears. The first town in North Carolina, Bath, and the area immediately south and west of it were settled by French Protestants from Virginia. But by far the largest Huguenot community was in South Carolina. As early as 1685 they were settling in the Charleston region and on the Santee River, which was marked on some of

¹¹ Peter Minuit and his secretary were Huguenots. So was Peter Stuyvesant's wife, Judith Bayard. In 1696 a book in the French language was published in New York, and town proclamations were issued in both French and Dutch prior to 1664.

¹² They soon abandoned these experiments and turned to growing tobacco.

the early maps as the "French Santee." Six Huguenot churches were built, all but one before 1706. Among the French in South Carolina were the families of Bayard, Bacot, Dubois, Gaillard, Huger, Laurens, Legaré, Manigault, Marion, Porcher, Ravenel, and Saint Julien. The famous "Prayer of the Charleston Child" reveals the French influence:

I thank God on bended knee
I'm half Porcher and half Huger.

Most of the French Huguenots in the English colonies located in or near coastal towns. In the Northern and Middle colonies they became prominent in industry, mercantile pursuits, and commerce. In the South many were wealthy planters. It is impossible to state with accuracy the total French population in the colonies, but the best estimates place the figure somewhere between ten and fifteen thousand.

The Welsh and Other Groups. Less has been written about the Welsh than about any other national stock in the colonies, but this group was fairly large, especially in Pennsylvania and the back country of all the Southern colonies. Prior to 1700 many Welshmen, some of whom were Quakers, located near Philadelphia, settling the towns of Merion, Radnor, and Haverford. Also such place names as Bryn Mawr and Cynwyd are self-explanatory, and such Welsh family names as Lloyd, Morgan, Griffith, and Harris were found in profusion in many parts of the colonies. They generally spoke their native tongue and followed their native customs and institutions in the beginning, but the second and third generations were gradually absorbed by the English. Most of the Welsh were skilled farmers, but poverty generally prevented them from owning much more than two hundred acres. A few became skilled doctors, and another handful entered the business field—notably John Humphrey, who gained great wealth as a moneylender. In the 1730's there was a large-scale migration to the Virginia Piedmont, where some counties soon had as high as 20 per cent Welsh stock, and to the Great Peegee River in South Carolina, where a tract of ten thousand acres was settled.

The first group of Jews arrived in New Amsterdam in 1654 from Brazil, brought in a French ship. As the years passed, more arrived, especially from Spain, Portugal, and Jamaica. They settled in the larger towns along the coast—Newport, New York, Philadelphia, Charleston, and Savannah. They generally entered the manufacturing and shipping fields, in which they showed both shrewdness and ability. The names of Lopez, Solomon, Rivera, and Hart were prominent among this group.

There were also representatives of many other national stocks in various colonies, but in smaller numbers. Swiss migrated to America to escape military service or religious persecution. One of their largest settlements was at New Bern, North Carolina. Some Irish Catholics came to America, notably to Maryland, including the family of Charles Carroll, but the great Irish Catholic exodus was to be a century in the future. And in 1768 some fourteen hundred immi-

grants from Minorca, Leghorn, and Greece, under the leadership of Dr. Andrew Turnbull, established a colony at New Smyrna in East Florida. Shortly afterward, they revolted against their leader, and in 1777 the project was abandoned.

Influence of the "New Immigration." The "swarming of non-English" to America had a profound effect on the economic, political, social, and cultural life of the colonies. This great influx led to the expansion of all the provinces, and particularly to the settlement of the back country. It likewise gave impetus to the development of agriculture, industry, and trade, as domestic markets increased and as the fur trade pushed steadily westward. Scores of new towns were built as a result of the "mass migrations," and the population of many old towns was greatly augmented. No less significant were the religious effects: the spread of Presbyterianism, principally by the Scots, and of the Lutheran, Reformed, Moravian, and other sects by the Germans. The "new elements" also gave an impetus to education, as evidenced by the establishment of many academies and the founding of a number of "church colleges," such as Princeton. But perhaps the most significant long-range results of the great increase in population and its steadily changing character were the development of a new type of sectionalism, the growth of democracy, and an increasing sense of colonial unity.

COLONIAL LIFE AND SOCIETY

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From the very beginning of settlement, class distinctions played an important role in the social structure of the several colonies. Yet, regardless of the social class to which he belonged, the average colonist was always concerned with many matters of a personal nature to which he devoted considerable time and energy. The building and upkeep of his homestead and other essential buildings, his daily fare, the procurement of wearing apparel and household furnishings for himself and his family, the welfare of the family, the search for diversion to relieve the monotony of life, and the need to keep the peace by safeguarding his home and his community against wrongdoers were some of his ever-present problems.

Social Classes. The social order of the colonies was the product of two conflicting forces. The first of these was the European idea of class distinctions, for it has been truly said that colonists of the seventeenth century were not Americans, but Europeans living in America. The early settlers, largely of English stock, brought with them inherited ideas of social stratification: nobility, gentry, yeomanry, and peasantry. Thus, from the beginning, social distinctions were set up, first by law and then, with the passing of time, by custom and imitation of the social system of the mother country.

In the earliest days of Virginia there was a distinction between "gentlemen" and "servants," and in 1619 larger grants of land were given to those who performed outstanding services for either the Virginia Company or the colony—which probably meant to the "gentlemen." The manorial system of Maryland granted special consideration to the wealthy who transported five persons, probably servants, to the colony. Not only were estates of at least a thousand acres given to such gentlemen, but special political and judicial rights as well. The Carolina charter of 1663 envisioned the creation of a colonial nobility and actually planned for noble titles, provided they were not the same as those used in England. And the Fundamental Constitutions of Carolina, designed to "avoid a numerous democracy," classified society into strata ranging from degrees of "nobility" such as palatine and landgrave down to the lowest class of "leet men"; that the lowest stratum was to be permanent is indicated by the provision that "all children of leet men" should remain leet men "to all generations."

In New Netherland the patroon system was initiated by the Dutch in some-

what the same fashion as the manor in Maryland, and the English virtually continued the practice by granting huge estates along the Hudson River to a few favorites who were allowed special privileges. Even in early Pennsylvania, William Penn attracted leaders with promises of governmental positions and the wealthy with the lure of large estates reasonably purchased.

As a result, in the seventeenth century there emerged in the colonies from New York southward an aristocracy based on extensive landholding. An additional factor, particularly in the South, was the increasing use by the planter aristocracy of nonfree labor, either slave or servant.

On the other hand, in New England, where the quest for extensive estates was not great, the first "aristocracy," notably in Massachusetts Bay, was an ill-assorted one of religion, wealth, and rank. For example, in the early Bay Colony only a small group of Puritan ministers and their financial backers were considered to be of the upper class or "elect." They opposed the extension of democracy for political and social reasons, as well as religious. The governor and the magistrates were all from this upper class. As trade and commerce, including the fisheries, brought wealth to others, they were admitted to the upper circle, provided they were "orthodox in the fundamentals" of the Puritan faith—which meant Puritan church members.

At the same time that this imitation of the English upper crust was taking place in the colonies, a second force was also working in a way that was apparently inconsistent with the first. There appeared a social diversity and fluidity that resulted from the leveling influence of wilderness conditions, the relative ease of acquiring land, political disturbances (such as in Massachusetts in 1634), and "unregulated liberty" in a frontier society.

Despite the existence of this second force, the eighteenth century witnessed an increasing tendency toward social stratification, which was in part the result of improvements in economic conditions and extensive land speculation by the "better sort." Except for the fixed status of Negro slaves, the flexibility of colonial society was its distinguishing characteristic. Society was more fluid than the laws or customs indicated. In many ways the social classes tended to mix and even to merge into one another. There was always opportunity for a small farmer, or even a freed servant, to acquire land and ascend the social ladder, or for an energetic worker to become skilled, enter a trade, and amass a fortune. By native ability, proper marriage, or lucky land deals, a number from the lower classes passed into the ranks of the aristocracy. Indeed, many aristocrats were "self-made" men. Only Negro slaves were committed to their lowly station of life. People of different classes were constantly being thrown together while imbibing in inns and taverns, while attending church, while participating in court sessions, while performing militia musters, and while attending other public gatherings. This "rubbing of elbows" was characteristic of the growth of social democracy in the colonies. And yet the notion of class distinctions was still firmly imbedded in the colonial mind. Leaders were "class-conscious," and were firmly determined to keep their "inferiors" in their places.

Outside of the abortive attempt in Carolina, no nobility developed in the

colonies. Social distinctions were based on position, wealth, and ownership of property, not on birth. The classifications are somewhat arbitrary: some writers assert that there were only three classes, and other as many as eight. For example, Douglas Freeman, in describing eighteenth-century Virginia, lists planters, small farmers, merchants, sailors, frontier folk, servants, convicts, and slaves.

For purposes of clarity, however, the following designations will be easiest to bear in mind. In order of social standing, the white population consisted of four elements: the gentry or aristocracy (called "planter aristocracy" in the South); the so-called middle class, made up of the smaller landowners and the skilled craftsmen or artisans; the tenant farmers, unskilled laborers, and "hired help" generally; and the servants, both voluntary and involuntary, the only group that was not free.

The Gentry. The gentry, which was the smallest, wealthiest, best educated, and most influential of these groups, was composed mostly of large landholders, but it also included public officials, wealthy merchants, Anglican ministers in the South, prominent Puritan clerics in New England, and leading doctors, lawyers, and other professional men. In all probability, less than 5 per cent of the colonial families belonged to the gentry. Intermarriage among this group helped to build up larger estates or fortunes, which were kept intact by primogeniture and entail. As all the adult males among the gentry were entitled to the franchise, they tended to dominate the colonial legislatures and to hold the most important elective positions. Thus, they were able to enact measures that strengthened their own places in society.

Members of this upper social class prided themselves on such titles as "Planter," "Gentleman," "Esquire," and "Master," and they frequently had family crests and coats of arms as badges of social distinction. They were extremely jealous of their position in the social world, and there sometimes developed bitter quarrels over protocol; at least one of these "social fights" was referred to the Court of Heraldry in England for settlement. By custom, and sometimes by law, their position was recognized: their place at the table, their reserved pews in church, the student register in college that was arranged according to social precedence rather than alphabetically, designation of their rank on their tombstones, assurance that their orphaned children would be educated "according to their rank and degree," and exemption from corporal punishment by the courts, which might, however, fine them more heavily than those of lower station.¹

Around the middle of the seventeenth century the best dress was reserved for members of this class, as indicated by the following expression of the Massachusetts General Court in 1650:

We declare our utter detestation and dislike that men and women of mean condition should take upon themselves the garb of gentlemen, by wearing gold or silver lace or

¹ A member of the upper class who was found guilty of a crime could, however, be demoted socially, and if he committed a second crime, he could be subjected to corporal punishment.

buttons, or points at their knees, or to walk in boots, or women of the same rank to wear silk or tiffany . . . scarfs, which though allowable to persons of greater estates, or more liberal education, yet we cannot but judge it intolerable in persons in such like condition.

And in 1676 a Connecticut law stated that a person wearing "gold or silver lace, or gold or silver buttons, silk ribbons or other superfluous trimmings" would be taxed as much as if he owned property worth £150.

The Middle Class. The next social class, consisting mainly of smaller farmers and artisans, constituted the largest element in the colonial population. This group had its origin in free immigrants and freed servants, and also included small merchants, overseers, fur traders, tavern keepers, workers in naval stores and other local industries, blacksmiths, gunsmiths, and other skilled craftsmen in a variety of pursuits. Members of this class also possessed a certain degree of class consciousness. They used such titles as "Farmer," "Husbandman," and "Yeoman," and were addressed as "Goodman" and "Goodwife." It was this element that was actually the backbone of the colonies, and has been described as "a strong, fearless, independent race, simple in taste, crude in manners, provincial in outlook, democratic in social relations, tenacious of their rights, sensitive to encroachments on their personal liberties, and, when interested in religion at all, earnest, narrow, and dogmatic."

The Unfranchised Group. The third class, made up of tenants, unskilled laborers, and "hired help," seldom owned land, and if any did, it was usually less than fifty acres. Very few had the right to vote, for they had not acquired sufficient real or personal property to meet the requirements for the colonial franchise. They had no specific titles, but were addressed as "Smith" or "Jones." They were becoming increasingly class conscious, however, and were beginning to demand the political, social, and economic rights of those above them in the social scale. The gentry in particular became worried about this growing restlessness that threatened the supremacy of the aristocracy. Every effort was therefore made to keep this unskilled element—referred to as the "mob," the "inhabitants," or the "people"—in its place of inferiority. All in this classification were free, however, and it was possible for them to become members of the middle class and even of the aristocracy if they had the ability and ambition to do so.

The Unfree Whites. At the bottom of the white social scale were several classes of unfree persons: voluntary servants or redemptioners, involuntary servants, and apprentices. Among the voluntary servants were "unfortunate French, German, and Swiss Protestants fleeing from religious persecution, starving and unhappy Irish, rack-renting Scottish farmers, and poverty-stricken German peasants and artisans." Among them were "many ordinary individuals of decent substance, and a few who were entitled by custom of the time to be called gentlemen." Poverty, however, had forced them to sign away several

years of their lives as indentured servants. Among the involuntary servants were "rogues, vagabonds, whores, cheats, and rabble of all descriptions, raked from the gutter and kicked out of [England]." There were also convicts, "Transported instead of being hanged," as well as people of every type who had been "decoyed, deceived, seduced, inveigled, or forcibly kidnaped." At least half of the immigrants who came to the colonies south of New England did so as servants, voluntary or involuntary. During their period of service they were allowed few rights or privileges. None had the right to vote. With the conclusion of their indenture, many were given fifty acres of land, and from then on their future was determined by individual initiative. A number of freed servants ascended high on the social ladder; others remained in the classification of "hired help."²

Municipal Problems. Even though the colonies continued to be primarily rural, a significant feature of eighteenth-century America was the growth of towns. Urban communities increasingly attracted more and more of the several social classes. Although such communities contained only about 10 per cent of the colonial population, they exercised an influence out of all proportion to their numbers in economic, political, social, and cultural life.

The typical colonial town had narrow streets, with the houses immediately bordering them. With the possible exception of Philadelphia, New Haven, and Charleston, the main streets were crooked, and the cross-streets did not intersect them at right angles. By the time of the Revolution most towns had named their streets and adopted a house-numbering system "for the benefit of strangers." Traffic problems mounted with the increased use of stagecoaches, private coaches, business carts, and other vehicles.

The prosperous merchants, shippers, and traders usually lived in towns. Their wealth was kept intact through intermarriage. They dominated the political life of the community through control of the board of aldermen, the common council, or the selectmen, as the case might be, and they formed a majority of the local chamber of commerce.³ Thus, they could determine who could vote, who could buy property, and who could do business within the town limits. Members of this group also arranged and attended most of the banquets, dances, parties, and musical functions that enlivened the otherwise staid existence of urban communities.

But the growth of towns meant more than business, politics, and social functions. New problems emerged that affected the welfare of all the inhabitants. Prevention of fire was one, and laws concerning smoking, the type of building materials used, the regular cleaning of chimneys, and curfews had to be passed

² Negro slaves were not considered as "people," but as property or chattels. See pp. 317-322.

³ New York City established the first chamber of commerce in 1768. The Charles Town, South Carolina, Chamber of Commerce was organized in 1773. The New York body, modeled after the Society for the Promotion of Arts, Agriculture, and Oeconomy of 1764 (see Chapter 29), was dedicated to the promotion and encouragement of commerce, to the support of industry, to the adjustment of disputes, and to the promotion of laws beneficial to trade in general.



Fire-fighting equipment. (Courtesy of The New-York Historical Society, New York City)

to safeguard lives and property. Generally, each town was divided into fire wards, with the residents volunteering to fight blazes in their vicinity. Boston was the first to establish a regular "fire department," which used hand engines and fire buckets. More efficient was the Boston Fire Society, a private organization established in 1717. Other towns followed Boston's example, with Philadelphia and its Union Fire Company (1736) probably the best of them. New York had "a Fire-Engine that will deliver two Hogsheads of Water in a Minute, in a continual stream." Despite these efforts, fire losses were large in every town.

Police protection was another municipal problem, for lawless elements tended to congregate in larger communities. Constables were the major law enforcement officials in the daytime, but after nightfall the male residents had to take their turn serving on "night watch." Some took their task seriously, others with indifference. Maintenance of the whipping post and stocks was another local function and, later in the century, the erection of a jail. These efforts left much to be desired, for towns continued to be plagued by riots, robberies, and other disturbances.

Lighting of the streets was always a problem, which helps to account for the greater need of a night watch. At first, the responsibility for lighting was placed upon the residents; for example, housekeepers were ordered to keep candles or lamps in their front windows during the winter months, and the owner of every seventh home had to have a lantern outside. As the eighteenth century progressed, however, town governments gradually assumed the task of street light-

By the middle of the eighteenth century the town fathers had become concerned about the refuse and filth that accumulated in the streets. Provision was therefore made for "a scavenger Raker or other officer" to "cleanse the streets, Lanes, Alleys, and other places." At least "once in every week" he should "carry or cause to be carried the Ashes, dirte, filth and Soyle" the householders had thrown into the streets "unto such Place or Places where he shall think convenient." Owners were warned by the town crier that every Saturday morning they must sweep their accumulated refuse into heaps in front of their homes for easier disposal. By the close of the colonial period two further expedients to improve sanitation and appearance were the initial plans for sewage systems in many towns and the paving of streets with bricks or "good and sufficient Pibble Stones."

Water supply was another problem, not so much for drinking as for cooking, washing, and bathing—the last a rare occurrence. Springs and wells provided most of the town water. Householders had to go to the nearest source, or buy from a house-to-house water carrier. By the time of the Revolution, however, Christopher Colles was experimenting in New York City with wooden pipes to conduct water "thro the several Streets, Lanes, and Alleys." The purpose was to bring water closer to the home, not into it.⁴

Colonial Houses. The size, style, and quality of colonial houses, churches, and other buildings varied greatly with locality and period. The prevailing patterns were determined by available materials, tradition, European influence, and, of course, the wealth and taste of the builder. All of the colonies had an

⁴ A visitor in 1786 reported that "every house in Salem [N.C.] is supplied with water brought in conduits a mile and a half." The original wooden pipes used for this purpose are now on display at the Wachovia Historical Society at Winston-Salem, N.C.

A fire engine of Salem, North Carolina. (Courtesy of The Wachovia Historical Society Museum, Winston-Salem, North Carolina)



abundance of building materials, chiefly wood, and most of the structures were made of local products, although there were occasional importations—especially in the eighteenth century—of fine wood and ornamental brick.

The first houses, of necessity hastily constructed, were crude, rough-hewn affairs. Most of the early dwellings at Jamestown were “of wattle, with or without a daubing of clay,” and, according to a report of the Virginia legislature, were “so meane and poor . . . that they could not stand above one or two years.” And the “Wigwames” that sheltered some of the early settlers in New England were not adaptations of the Indian habitation of that name, but crude reproductions of the architecture of the fatherland.⁵

More substantial houses were erected as soon as conditions warranted, and the settlers, quite naturally, used the style of architecture they had known in the mother country. It is a well-known fact that with the exception of the Swedish region of the Middle colonies, seventeenth-century colonists did not build log cabins.⁶ The “meaner sort” built homes modeled on the English cottage, and the gentry constructed “the more pretentious frame house that, in English counties, stood apart from the cottages of the village.” Accordingly, most seventeenth-century architecture, with the exception of the Dutch and Swedish areas, was Elizabethan or Jacobean.⁷

Most colonial houses were one-story or story-and-a-half wooden structures. Some of the more affluent settlers, however, built homes two stories high in front and one story in the rear. Numerous houses, especially in New England, had such English characteristics as the overhanging second story, steep, shingled roofs, leaded glass windows, a large central chimney, and timbered walls that were clapboarded against the rigors of the climate. A majority of homes, particularly in the South, had chimneys on the outside, usually at either end. Most of these chimneys were of brick, and the outside ones were usually broad at the base to allow a roomy fireplace within, sloping at the sides to a smaller upper shaft. Wooden pegs were used, because of the shortage of nails, to put together the wooden homes and outbuildings, as well as the furniture. With the exception of the finer mansions, homes, barns, and other buildings went unpainted, for paint was both scarce and expensive. An ambitious and energetic owner, however, might whitewash his buildings; he made the whitewash from lime,

⁵ An early description of farmhouses reads: “Those in New Netherland and especially in New England, who have no means to build farm-houses at first according to their wishes, dig a square pit in the ground, cellar fashion, six or seven feet deep, as long and as broad as they think proper, case the earth inside all around the wall with timber, which they line with the bark of trees or something else to prevent the caving in of the earth, floor this cellar with plank and wainscoat it overhead for a ceiling, raise a roof of spars clear up and cover the spars with bark or green sods, so that they can live dry and warm in these houses.”

⁶ Harold Shurtleff in his *Log Cabin Myth* (1939), has shown conclusively that the log cabin is a contribution of the Swedes and Finns, that it is not English in origin, and that it was not until the eighteenth century that the log cabin, with logs laid horizontally, became the “typical house” on the frontier.

⁷ An outstanding example of Jacobean architecture was Bacon’s Castle in Surrey County, Virginia. Elaborate doorways, decorated mantels, and “clustered chimneys” were some of the features.



A Dutch cottage in New York City, about 1679. (Courtesy of The New-York Historical Society, New York City)

which he frequently obtained by burning oyster shells. Roofing material might be thatch, or oak, cedar, or cypress shingles, or, in more affluent families, tile, slate, or lead. Mostly, however, it was the availability of the material locally that determined what would be used.

The increasing prosperity of the eighteenth century led to the construction of a larger number of brick and stone houses, mainly in the Georgian style and usually from locally produced materials, but wood remained the chief building material throughout the colonial era. Some of the brick homes were of "English bond," with the surface made up of a row of "header" bricks placed over a row of "stretchers." Other houses were of "Flemish bond," which had alternating headers and stretchers over the entire wall surface. In addition to the problem of cost, a possible reason for the paucity of brick or stone homes was the general belief that such structures were damp and unhealthful. As late as 1784 Thomas Jefferson observed that "private buildings are very rarely constructed of brick or stone; much the greater portion being of scantling and boards, plastered with lime." And much earlier (1724) the Reverend Hugh Jones, writing about Virginia, said:

Here, as in other Parts, they build with Brick, but most commonly with Timber lined with Cieling and cased with featheredged Plank, painted with white Lead and Oil, covered with Shingles of Cedar, & tarr'd over at first with a Passage generally through the Middle of the House for an Air-Draught in Summer.

There are numerous references in contemporary writings to "great houses" and "elegant mansions," as well as drawings and later photographs of the finer colonial homes, which have tended to create the impression that the average colonial planter lived in a magnificent dwelling, led a leisurely life, and spent most of his time sipping mint juleps and dispensing "Southern hospitality." The fact is that the average family in colonial America lived in a plain, unpainted



Bacon's Castle. (Courtesy of the Virginia Chamber of Commerce)

wooden house, lacking architectural grace, sacrificing beauty to comfort and convenience, and frequently without much landscaping. Even the homes of some wealthy planters were often described as "simple and plain."

The finer houses generally had wide halls and rooms with high ceilings, often wainscoted to the top and ornamented with artistic balusters and beautiful mantels. The more pretentious homes had four large rooms on each floor, with a fireplace in each room. The fireplace was perhaps the most important part of any house. Few homes were warm in winter because "half the smoke went into the apartment and half the heat up the chimney." A chronic complaint was that "one side roasted while the other side froze," and John Adams frequently expressed the wish that he "could hibernate from fall to spring." As glass became easier to obtain and thus less costly as the eighteenth century progressed, windows with glass panes were more numerous. These proved to be a great advance over the small apertures with glazed or oiled paper that characterized the previous century.

The owners of the finer houses gradually paid more attention to the exteriors. Porches were added, particularly after 1725, though they were to be found mainly in the South. Some of the grounds were beautifully landscaped with hedges of boxwood and a variety of other ornamental shrubs and flowers. The more pretentious occupants also had "formal gardens" that became showplaces. As a further means of beautification, a number of colonial towns, such as Williamsburg, passed laws requiring that each lot be fenced. The prevailing type of fence was wooden, usually painted white.

There was a certain similarity among the homes of the average colonists,

wealthy or not, for prior to the middle of the eighteenth century there were few, if any, professional architects in America, and their number was never large. The first and perhaps best-known amateur was Peter Harrison. Architects were known as "Master Workmen," and a master workman in this regard was defined as, "in a Building . . . he who designed the Model, or draws the Plot, Plan, or Draught . . . and whose Business it is to consider the whole Manner and Method of the Building." In most cases he was primarily a carpenter or bricklayer. A number of colonial builders—perhaps the vast majority—made their own building designs, or built without a plan. A few, especially in the towns, followed the designs taken from "builders' handbooks," of which many were published in eighteenth-century London.

The typical colonial farmhouse had but one room, though some had two, the more important as well as the larger being the kitchen, which served as a combined parlor, living room, dining room, and workshop. Some of the houses gradually had added a "lean-to" or "shed-room," and a "loft," which was used as a storage room or as a bedroom for the children, though in many cases the whole family slept in the same room. Glass windows were scarce, and some homes did not even have plank floors.

The Governor's Palace in Williamsburg, Virginia, built about 1720. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)



Furniture and Furnishings. Most of the planters, merchants, and others of the "better sort" lived comfortably, some even luxuriously. Wills and inventories reveal that many homes were furnished with beautiful articles imported from Europe, as well as many pieces made in the colonies. The wealthier people had fine draperies, tapestries, linens, quilts, and counterpanes; chairs, tables, desks, sideboards, cupboards, chests of drawers, and bedsteads—usually four-posters made of mahogany, walnut, pine, maple, or cherry; brass or copper andirons, tongs, fire shovels, and fenders; silver services, platters, tea- and coffeepots, knives, forks, and spoons; wineglasses, decanters, punchbowls; and such "necessary articles" as cards, spinning wheels, and looms, as well as a variety of kitchen utensils.

On the other hand, the average colonist, particularly if he was a farmer, had furniture made by hand of wood from the nearby forest and designed for utility and space-saving. A few stools and "long benches," a crude table or two, shelves, a "larder" for provisions, and a few pots and pans constituted the bulk of the household furnishings. The farmer's bed was probably a mattress of leaves, shucks, or straw, which he put on the floor. Animal skins and handmade quilts were used to cover him. Knives, forks, and spoons were scarce and were usually made of bone, wood, or iron. Most of the dishes were wooden, though some farmers had a little china and perhaps some pewter dishes and crude earthenware.

Colonial Dress. The dress of the upper classes was quite similar to that of the English gentry and was considered a "badge of social rank." The general feeling that the "meaner sort" should not wear the symbols of the "better sort" frequently led to extravagance in dress on the part of the aristocrats and also to legislation, chiefly in the seventeenth century, against "excessive dress" by the "common people." In the early years quite a number of men and women were arrested for "excess in dress," but by the eighteenth century laws on this subject were seldom enforced, though the attitude still prevailed that one should dress "according to his rank." With the increase of wealth and the rising standard of living, the garments of the colonial aristocracy became even more extravagant. According to one writer, the later colonial period represented "the highest point reached in richness of costume, variety of color, peculiarities of decoration, and excess of frills and furbelows on the part of both sexes."

Most wealthy men had at least three suits of clothes: a "durable" and practical suit worn for working; a second-best suit for going to market or for doing errands in town; and the best, reserved for the Sabbath-Day and for "social functions."⁸ The aristocrats wore long frock coats, usually made of imported broadcloth, sometimes black, but frequently of bright colors; tight-fitting, knee-length trousers made of either brocade, velvet, silk, or plush; silk stockings and slippers with large ornamental silver or gold buckles. The wives and daughters of the "better sort" often dressed in silk, satin, muslin, or fancy calico. There

⁸ Apparently, colonials did not refer to "Sunday suits." The term *Sabbath* or *Lord's Day* was used rather than *Sunday*.



An eighteenth-century pine dower chest. (Courtesy of The New-York Historical Society, New York City)



A chest of drawers, William and Mary style. (Courtesy of The New-York Historical Society, New York City)



A comb back Windsor rocker. (Courtesy of The New-York Historical Society, New York City)



Pine and oak hutch table of the eighteenth century. (Courtesy of The New-York Historical Society, New York City)



A curly maple ladderback chair. (Courtesy of The New-York Historical Society, New York City)

were variations in style from time to time, as there always have been, but throughout most of the colonial era the hoop skirt was in vogue, as well as wasp-like waists, corsets,⁹ and high hats adorned with feathers or plumes. Throughout the colonial period lace was one of the most expensive items of the lady's dress. Ladies' shoes—with wooden heels and pointed toes—hose, and gloves, like their gowns and headdress, were gay and colorful. Gloves were worn on almost every occasion. Most women wore rings, bracelets, necklaces, lockets, and other ornaments—and always a fan. The latter was not merely an ornament, but a means of expressing moods and emotions, and was an important part of the coquette's equipment.

Colonial ladies had beauty aids. Despite the rantings of moralists against "the woman who weneth to make her more faire than god hath made her" and the denunciations of "painted ladies," colonial women used various concoctions for "preserving the bloom of youth" and imported scented waters, powders, paints, patches, and lip salves. Countless cosmetics were advertised in the local press by apothecaries; among them were "Lady Molyneux's Italian Paste," guaranteed to make the roughest skin like velvet and to prevent sunburn, the "Eau de Fleurs de Venice, or Venetian Bloom Water," described as "without dispute the most excellent cosmetic or beauty wash ever discovered" and an aid to the removal of wrinkles and other blemishes, and the "Bloom of Circassia," which the seller assured would bring a rosy hue to the cheeks that would not disappear when rubbed with a handkerchief. "Housewifery books," imported from London, commonly contained formulas for cosmetics and toothpastes as well as "cookery receipts." And dolls, imported from England and dressed in the latest London fashions, were used by colonial dressmakers as models for their colonial customers.

Little girls generally wore the same type of clothing as their mothers. "In voluminous hoop-petticoats, stiff stays, and high-heeled shoes, they appeared as miniature ladies, and while still in the nursery, they were made to wear masks and long gloves to protect their complexions."

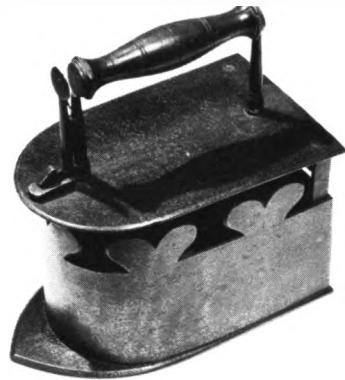
The small farmers, apprentices, and indentured servants tried to dress in much the same fashion as their "bettters," but in clothes of poorer quality and cut. Most of them wore suits of heavy and coarse materials, usually woolens. Some linen and cotton materials were used for clothing, and frequently a combination of fabrics, such as linsey-woolsey (linen and wool) and jeans (linen and cotton). The most widely used imported cloth was a coarse linen woven in Osnabrück, Westphalia, and called "Oznabrig." Leather breeches and hunting jackets (usually of deerskin), and coonskin caps were in general vogue among the poorer folk, particularly along the frontier. The women also wore practical clothing, including leather undergarments.

Colonial laws stipulated the type of clothing to be given to servants on the expiration of their indenture. A Maryland measure of 1715, for example, insisted that a female have a waistcoat and petticoat of "new half tick or peni-

⁹ A colonial writer observed that "the ladies were laced within an inch of their lives."



A pine and maple sawbuck table. (Courtesy of The New-York Historical Society, New York City)



A charcoal-burning sadiron of the eighteenth century. (Courtesy of The New-York Historical Society, New York City)



A tub or measure. (Courtesy of The New-York Historical Society, New York City)



Wrought-iron toaster.
(Courtesy of The New-York Historical Society, New York City)



A pine dresser or cupboard containing examples of colonial pewter ware.
(Courtesy of The New-York Historical Society, New York City)

stone," a new shift of white linen, a pair of shoes and stockings, and two white linen caps.

Slaves were scantily clothed in summer, the males sometimes wearing only "breeches." The rest of the year, their masters might supply them with "plains," country cloth, "Virginia cloth," or "slave cloth," all rude garments at best.

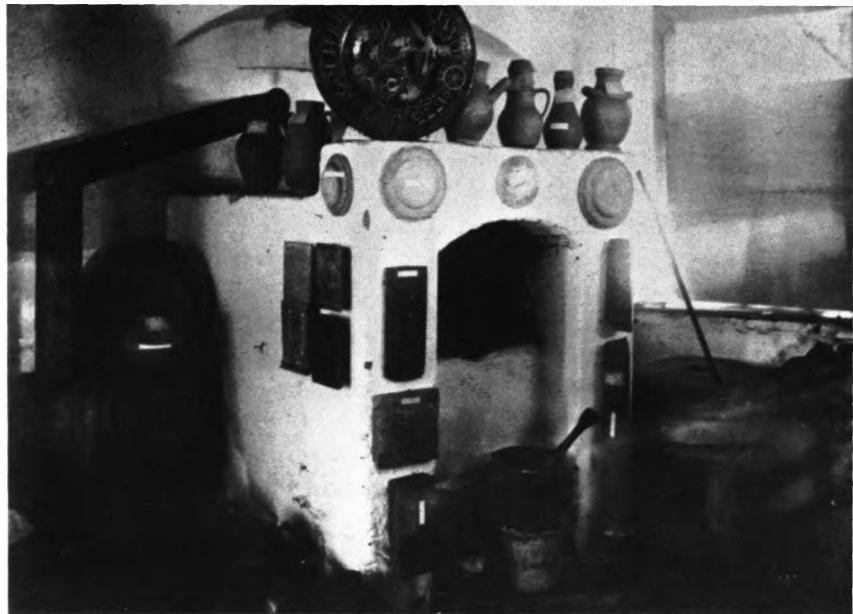
Food and Drink. The diet of the colonists was not far different from that of our own time, except that food was in greater abundance—though less attention was paid to variety, and meats and strong drink held more important places in the daily fare. The tables of the upper classes were filled with many different kinds of food.¹⁰ Beef, pork, and other meats were usually produced "on the place," but if not, they could be purchased at a very reasonable cost. Great quantities of fresh and salt meat were eaten the year round. Fish and game were plentiful, and on many plantations, especially in the South, a trusted servant or slave was assigned the special task of supplying the planter's table. Fresh vegetables and fruits were in scant supply, except "in season." Butter was likewise scarce in some areas because of the lack of churning. With the exception of salt, sugar, spices, and condiments generally, almost every article of diet was produced locally; in many homes honey, molasses, or maple sugar constituted the chief "sweetening."

Corn bread, hominy, and pork—fresh or salt—were the staple foods of the poorer classes, especially in the Southern colonies. It was said of the North Carolina farmer that "if he could raise enough corn and pork for subsistence, he cared for nothing more." William Byrd II reported that he "made a North Carolina Dinner upon Fresh Pork," and a Frenchman traveling in the colonies in 1765 stopped at "a poor farmer's house" where he "dined on fat Bacon, greens, and Indian bread and had good sider to Drink." These "hog and hom-

¹⁰ A traveler, lost in North Carolina in 1760, reported that he was hospitably received at a planter's home, where he found "a large table loaded with fat roast turkeys, geese and ducks, boiled fowls, large hams, hung-beef, barbecued pig . . . enough for five and twenty men." A plan for dinner in winter, suggested by *The Compleat Housewife*, one of several "bookes of cookery" used in the colonies, had the following menu: First course: gibble pie, gravy soup and chicken, and roast beef with horse-radish and pickles; second course: a tansy with orange, woodcocks on toast, rabbit with savory pudding, roasted turkey, and butter apple pie.



Butter mold, dated 1758. (Courtesy of The New-York Historical Society, New York City)



Bake oven. (Courtesy of North Carolina State Department of Archives and History)

A corner cupboard containing colonial chinaware. (Courtesy of North Carolina State Department of Archives and History)



iny" diets were not limited to the South; every New England farmer prepared his "pork barrel" for the winter months.

The nonalcoholic or "sober liquors" of the people were tea, coffee, and chocolate,¹¹ all imported. Tea was probably more widely drunk in towns and among the upper classes. Many of the poorer folk used native herbs as substitutes for the imported article. "Hard liquors" were consumed in large amounts everywhere. Births, deaths, weddings, dances, parties, "set suppers," college commencements, patriotic celebrations, political rallies, harvests, even clerical ordinations, all called for much drinking. It was "very much the custom" in some colonies "to drink Drams of some kind or other before Breakfast," particularly "egg nog" at Christmas.¹² The frequent references in wills and inventories to decanters, wineglasses, syllabub glasses, and punch bowls reveal this fondness for drink—and for hospitality.

Early settlers brought a "taste for liquor" and the liquor preferences of their respective countries with them, but the "West Indian beverage," rum, became very popular, especially in New England. Other intoxicating liquors were whiskies of various kinds, brandies, hard cider, wines, ale, and beer. With the exception of rum, most alcoholic beverages were made from locally produced grains and fruits, though many of the wealthy imported wines and liquors.¹³ Apple cider, peach brandy, and persimmon beer were among the popular drinks of the lower classes, but they also imbibed "hard liquors" when they could afford them. Flip, fruit brandies, and rum were favorite tavern drinks.

Surprising as it may seem to the modern generation, the colonists liked "hot toddies" and other "warm drinks." They also served "mixed drinks," such as "flip," which was made in a variety of ways, one of the most common being "a mixture of rum, pumpkin beer, and brown sugar, into which a red-hot poker had been plunged." "Punch" frequently contained four or five different ingredients, most of them alcoholic, but sometimes only sugar, lime juice, and rum were mixed.

Though not exactly a part of "diet," among the customs of the time none was more nearly universal than the use of tobacco. There was some chewing of the "weed," but more pipe-smoking and snuff-taking. The lower classes "dipped" snuff, but "snuffing" it up the nose, or taking a "pinch," was the custom in more fashionable circles.¹⁴

¹¹ Chocolate was made from cocoa beans, called "cocoa nuts" in the colonial era.

¹² The following recipe for egg nog was used in North Carolina: "In two clean Quart Bowls, were divided the Yolks and whites of five Eggs, the yolks and whites separated, the Yolks beat up with a Spoon, and mixt up with brown Sugar, the whites were whisk'd into Froth by a Straw Whisk till the Straw wou'd stand upright in it; when duly beat, the Yolks were put to the Froth; again beat a long time; then half a pint of Rum pour'd slowly into the mixture, the whole kept stirring the whole time till well incorporated."

¹³ Some of the imported beverages were madeira, claret, burgundy, and port wines, brandies, and "fine whiskies." Winemaking developed early, but the Americans never consumed as much per capita as did Europeans. Gin (also called "Geneva") was not widely used in the colonies.

¹⁴ "Gentlemen" usually carried gold or silver snuff-boxes, which, being first tapped, "were handed with grave courtesy to their acquaintances when passing the time of day."



Kitchen of the Governor's Palace at Williamsburg, Virginia, with eighteenth-century cooking utensils. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

Early silverware. (Courtesy of North Carolina State Department of Archives and History)



Colonial Diversions. America was not settled by representatives of the leisure class, and contact with the wilderness impressed on colonial folk the righteousness as well as the necessity of labor. "Frivolous pastimes," "pagan merriment," and "wanton pleasures" were denounced by moralists, condemned by lawmakers, and held in low esteem by many people. Despite this attitude, most of the colonists, especially those of the upper class, found time for games, other "diversions," and such social activities as their means, tastes, and religious views permitted.

To a remarkable degree, the colonial farmer combined work and play at such essential rural activities as log-rollings, house-raisings, barnbuildings, wheat harvest, corn-husking, quilting parties, and plowing-bees. The woods and fields were full of game and fowl, and the waters "teemed with fish," and therefore furnished splendid opportunities for cooperative sport, but hunting and fishing were primarily means of livelihood.

There were not so many official holidays or holy days as in modern times, but those the colonists had were celebrated with great gusto. Thanksgiving was an occasion of widespread celebration and jubilation, especially in New England. Christmas was a time of festivity in many colonies, especially in the South and in the Anglican, Dutch, and German communities of the North. New Year's Day was celebrated in some localities, but in lesser degree. "Training days," when the militia muster was held, became a community holiday by custom rather than by law. Many inhabitants had gay times at court sessions and other public gatherings, especially at county fairs, which were products of the late colonial era.

There was less interest in "spectator sports" than at present. Most of the boys and young men participated in games that tested their skill and strength: wrestling, gouging, jumping, racing, swimming, and shooting contests. Among the most popular games were quoits, football (something like English rugby), stool-ball (a modification of cricket), cricket, wicket, ball and bat, "long bullets," and even golf. Bowling—both "on the green" and on indoor alleys—was a sport of the upper classes, as were billiards and shuffleboard. Some of the better taverns, especially those in larger towns, had facilities for these games; many of the aristocratic families owned billiard tables and shuffleboards. Younger children enjoyed such amusements as marbles, tops, and even "pitching pennies."

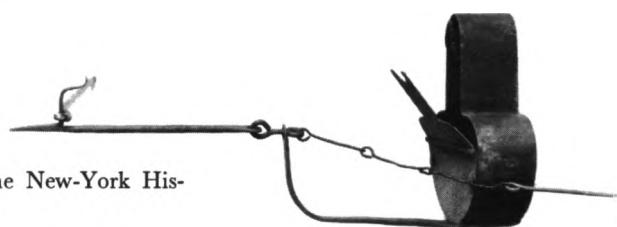
The more affluent families had occasional house parties, "set suppers," and other festivities, but dancing was the favorite of all. One observer in the early eighteenth century noted: "Dancing they are all fond of especially when they can get a Fiddle, or Bagpipe; at this they will continue for Hours together; nay, so attach'd are they to this darling Amusement, that if they can't procure Musick, they will sing for themselves." And in 1737 George Whitefield disgustedly reported that he found "a dancing master in every little town." The square dance, the jig, the reel, and the minuet were among the most popular dances.

Horse-racing was a popular sport in which the upper classes everywhere par-

A tin candle mold. (Courtesy of The New-York Historical Society, New York City)



Wrought-iron andirons. (Courtesy of The New-York Historical Society, New York City)



Iron betty lamp. (Courtesy of The New-York Historical Society, New York City)



Steel candle snuffer. (Courtesy of The New-York Historical Society, New York City)



Tin candlestick. (Courtesy of The New-York Historical Society, New York City)

ticipated, but the races themselves appealed to those in all walks of life.¹⁵ Race tracks, courses, or "greens" were found in communities from New England to Georgia. The "intolerable itch" for gambling "on the ponies" was denounced by clergymen and moralists, but interest in racing nevertheless increased. Blooded stallions and mares were raised, especially in Rhode Island, where the "Narragansett Pacer" became famous. Some fine stallions were also imported, especially by "gentlemen" in the Southern colonies.¹⁶ A few "jockey clubs" were organized prior to the Revolution.

Cock-fighting was another favorite sport, especially in the South. "Cock-pits" were set up in many localities and on many private plantations, and a match, or "main," between two famous cocks, like a race between horses, was certain to attract a huge crowd and lead to heavy betting—and perhaps to drunkenness and fighting. Elkanah Watson, who witnessed a Virginia fight between two "exceedingly beautiful cocks," wrote that he "was greatly astonished to find men of character and intelligence giving their countenance to an amusement so frivolous and scandalous, so abhorrent to every feeling of humanity, and so injurious in its moral influence, by fostering habits of gambling and drinking, in the waste of time, and often in the issues of fighting and duelling." The closely related "bull-baiting" was also popular.

Moralists condemned horse-racing, cock-fighting and bull-baiting, largely because of the waste of time and the encouragement of "wagering and betting," but colonists did not limit their wagering to these. Gambling was almost universal; even churches and schools were the beneficiaries of lotteries, which were in actuality gambling devices. John Brickell, a North Carolina physician, writing in the early eighteenth century, declared that the people were "much addicted to gaming, especially at Cards and Dice, Hazard and All-Fours being the Common games they used; at which they play very high, nay to such a pitch that I have seen several hundred pounds won and lost in a short time." Card games (whist was the favorite) were common diversions throughout the colonies and were distinguished by the play for high stakes, despite the denunciation of the clergy and the passage of numerous laws "to prevent excessive and deceitful Gaming." The number of packs of cards imported from England in the eighteenth century ran to almost unbelievable figures,¹⁷ and the sale of *Hoyle Improved, or New Maxims for Playing the Game of Whist* was large. Dice were also imported, but not in as large quantities as "picture cards."

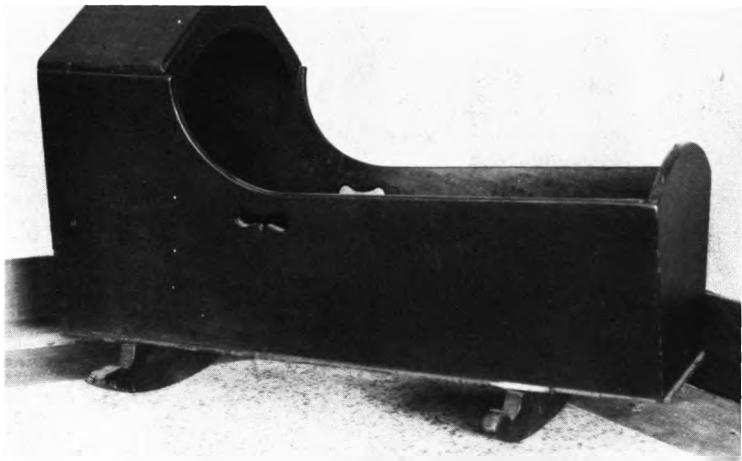
For amusement and diversion residents of towns and cities frequently had an

¹⁵ As early as 1674 a York County tailor was arrested for racing his horse against one owned by a physician. He was fined by the court because "it is contrary to law for a labourer to make a race, being a sport only for gentlemen." Perhaps the first arrest for "drunk driving" in American history occurred in 1694, when Sam Jennings of New Jersey was arrested for being drunk while racing a horse.

¹⁶ Between 1730 and 1775 Virginians alone imported at least fifty stallions and thirty mares from England. A few fine "Arabian horses" were also imported, such as the one owned by William R. Davie of North Carolina.

¹⁷ One ship from London to Wilmington, N. C., brought in 888 packs of playing cards; one to Boston, 1,584 packs; and one to Philadelphia, cards valued at forty-four pounds sterling.

An old cradle. (John Grey Blount Historical Collection, Courtesy of North Carolina Historical Commission, Raleigh, North Carolina)



Mahogany desk, Chippendale style, c. 1730. From the DeWindt house, Tappan, New York, which was Washington's headquarters at the time Major André was captured. (Courtesy of The New-York Historical Society, New York City)



Maple highboy, Queen Anne style, 1730-1760. (Courtesy of The New-York Historical Society, New York City)

opportunity to attend itinerant "side shows" passing through. There were "Opticks," which have been called "a primitive precursor of the movie show of today." Or they could witness "the accustomed surprizing and entertaining Performances, on the Stiff-Rope, and Slack-Wire" of skilled entertainers. "For the Entertainment of the Curious," there were sometimes presented "the most surprizing Effects of Phenomena, on Electricity of attracting, repelling, and Flammies Force, particularly the new way of Electrifying several Persons at the same time, so that Fire shall dart from all Parts of their Bodies." George Washington was so pleased with the "Microcosm or, the World in Miniature," that he attended twice.

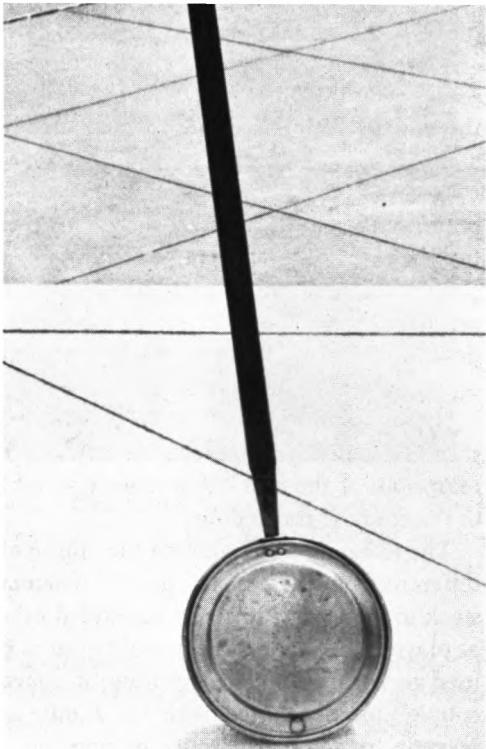
In virtually every town there were societies, clubs, and fraternal orders that afforded pleasure to their members. The best known were the St. Andrew's Society, consisting principally of Scotsmen; the Sons of St. George, with loyal Englishmen as the basis; the Friendly Sons of St. Patrick, whose most enthusiastic meeting was on March 17; and the Free and Accepted Masons. Though the primary objective of these organizations was benevolence, they did have purely social gatherings featured by banquets and drinking; on occasion, the wives might attend special dances and concerts.

By the time of the Revolution gambling on cards and dice, as well as on horse-racing and cock-fighting, had reached tremendous proportions. In response to the request of the First Continental Congress (1774) that the people forego all "expensive diversions and entertainments," the Wilmington (North Carolina) Committee of Safety prohibited all card-playing, horse-racing, billiards, and dancing, declaring "that nothing will so effectively tend to convince the British Parliament that we are in earnest in our opposition to their measures, as a voluntary relinquishment of our favorite amusements." Similar sentiments were expressed by "patriotic bodies" throughout the colonies. The revolution had come!

Courtship and Marriage. A seventeenth-century English writer, Matthew Griffith, in his *Bethel: or Forme for Families*, defined marriage as a "covenant of God, whereby all sorts of people may, of two, bee made one flesh; for multiplying of an holy seed, avoiding of fornication, and mutuall comforting of each other." Joseph Addison, in *The Spectator*, represented the man who undertook the responsibilities of wedlock as benefiting himself, his church, and his country. The colonists held marriage in the same high esteem. It was a man's duty to marry; it was a woman's reason for existence and, "since the end of her creation was to continue the species and be a helpmate to man, the chief ambition of every woman should be to get a husband." An effective inducement offered women to emigrate to the colonies was the prospect of "desirable matches."¹⁸

¹⁸ A South Carolina settler, writing to his brother in Switzerland, said: "We have provided well for our single women, who consisted of 13 persons. They have all been favorably married. In the old country they would not have had such good fortune . . . poor females of scanty means should come to America if they are virtuous and sensible." William Byrd II declared that matrimony "thrives so excellently" in Virginia that "an Old Maid or an Old Bachelor are as scarce among us and reckoned as ominous as a Blazing Star."

Foot warmer. (Courtesy of North Carolina State Department of Archives and History)



The ease of obtaining subsistence, the necessities of domestic economy, the loneliness of life in a "wilderness civilization" were all incentives to early and frequent marriages. Women matured early in colonial America, and they married young, some at twelve to fourteen years of age. "She that stays [unmarried] 'til Twenty," wrote John Lawson of North Carolina, "is reckoned a stale Maid; which is a very indifferent Character in that warm Country." William Byrd II asserted in 1727 that the most "antique virgin" he knew was his own daughter Evelyn, then about twenty.

Bachelors and spinsters were out of place in the colonial social order. All adults were expected to marry and have children for economic and religious reasons. Despite the fact that the number of men exceeded that of women, particularly in the seventeenth century, several colonies placed taxes on bachelors, denied single men the right to live by themselves, and enacted legislation designed to encourage population increase "by promoting and encouraging matrimony."¹⁹

There was less legislation against spinsters than against bachelors, but infinitely more ridicule by the newspapers—nearly all of which were edited by men. There were numerous accounts of "old virgins" and "ancient maids of desperate expectations," usually described as "homely in appearance, fault-finding, and disagreeable in disposition, critical of the innocent amusements of youth, envious of her married sisters, mendacious regarding her age, and,

¹⁹ Maryland passed a bachelor tax. Connecticut and New Haven forbade heads of families to entertain single persons without legal permission.

though pretending to hate men, desirous of nothing more in life than a husband.”²⁰

If a young man wished to pay court to a young lady, he usually obtained permission from the head of the family—in most cases, the father.²¹ In deciding the eligibility of a prospective son-in-law, parents usually investigated his family connections and particularly his wealth. Though marriage was supposed to be an affair of the heart, it was also a business matter. Among the “better sort,” the desire to build up a large estate was sometimes the motive for the intermarriage of near relatives; indeed, some marriages were actually “mergers.”

Next to parents, the church probably exerted the greatest influence on courtship and marriage. Most denominations insisted that their young people “not marry out of the fold.” A few sects, notably the Quakers, turned members “out of the church” for so doing.

The techniques for winning the approval of the opposite sex were not radically different from those of the present. Coquetry and dress were a woman’s normal stock in trade, but to these she added other “feminine accomplishments,” such as playing the piano. The age-old custom of making and receiving gifts was also used to win favor. The duration of courtship and the conduct of the “young couple” usually varied with the family and training of the lovers. The most severely condemned practice of courting couples was that of “bundling,” especially in New England when evenings were cold. If the thunderings of the clergy against this custom are to be believed, bundling was a contributory factor to extramarital relations and to illegitimacy.”²²

The consent of parents was more essential for marriage than for courtship, largely because property was involved, and a child who defied parental authority

²⁰ A North Carolina newspaper printed this diatribe: “An old maid is one of the most cranky, ill-natured, maggoty, peevish, conceited, disagreeable, hypocritical, fretful, noisy, gibing, canting, censorious, out-of-the-way, never-to-be-pleased, good for nothing creatures. . . . Of all things on earth she says she hates a man, because every man hates her. . . . In short, an old maid enters the world to take up room, not to make room for others.”

²¹ There are occasional court records where a wife was granted a divorce on the ground that her father had forced her to marry a man whom she did not “favour.”

²² Webster defies *bundle* as follows: “To sleep on the same bed without undressing; applied to the custom of a man and woman, especially lovers, thus sleeping.” Sermons were preached and poems and songs written against bundling. “A New Song in Favour Of Courting,” which defended this form of courtship, contained twenty stanzas, two of which ran:

Since in a bed a man and maid,
May bundle and be chaste,
It does no good to burn out wood,
It is a needless waste.

Let coats and gowns be laid aside,
And breeches take their flight
An honest man and woman can
Lay quiet all the night.



Mahogany bed, Chippendale style. From "Hampton," Charleston County, South Carolina, home of Edward Rutledge. (Courtesy of The New-York Historical Society, New York City)

might be disinherited.²³ "Marriage settlements" were common among the wealthiest families. Before the marriage of a young man and woman of prominent families, a contract was drawn whereby her parents agreed to give a stipulated sum as a marriage portion and his parents contracted to settle property upon the bride. The purpose of such "settlements" was not so much to give the wife money for her own use as to keep property in the family from which it descended.

There was no special ceremony associated with the marriage engagement—no announcement parties or statements made by the parents of the bride-to-be in the newspapers. Perhaps a few close friends were told of the engagement, and soon the fact was widely known. The period of engagement was usually brief, two or three months, just enough time to allow the girl to prepare her trousseau.

Perhaps the most distinctive feature of the institution of marriage was its establishment as a civil contract—a sharp departure from English tradition. In New England, particularly in the seventeenth century, the law required that marriages be performed before the local justices of the peace. In the Middle colonies there was a choice between a civil and ecclesiastical ceremony, and in the South the English sacramental idea prevailed. But in all colonies, even in those where the performance of the wedding ceremony was a monopoly of the Anglican Church, as it was for a century in the Southern colonies, the minister was acting as an agent of the colonial government.

There were wide variations in colonial marriage laws, but four general requirements prevailed: (1) giving notice of marriage; (2) presenting of evidence of parental consent; (3) celebrating of marriage before authorized persons; and (4) registering the marriage in some form of public records.²⁴ In most colonies the law required either the publication of banns—a public announcement of

²³ According to law, servants could not marry without consent of their masters, and guardians must approve the marriage of their wards.

²⁴ The law required the "registry of marriages," usually with the clerk of the local court.

intention to marry—or a license, normally obtained from the local court in the home county or town of the bride.²⁵

Because of the cost of marriage licenses—as much as forty shillings in some colonies—and the expense of “marriage bonds,” only the wealthy procured licenses, although a much larger number of couples employed the device of “marriage banns.” But there were many who married without license or banns, or even the observance of a wedding ceremony. The practice of taking a woman quietly to one’s bed and board and having children by her was not uncommon; indeed, it followed “common law.” Nor was the custom limited to the “meaner sort,” though it may have been more prevalent with the common people than among the aristocrats.

Another possible reason for such practice was the fact that weddings in colonial America were not customarily the important social functions they later became. The duration and extravagance of wedding festivities depended upon the economic status of the bride’s family. At some of the “handsomest weddings” there was considerable feasting and drinking, and sometimes such pranks were played as “stealing the bride.” Wedding trips were taken by only a few of the most affluent couples.

A feature of colonial marriages that might shock the modern reader was the number of unions made by the same person and the quickness with which a widower or widow took another partner. The hardships of pioneer life, the burdens of early and frequent motherhood, and, in the absence of proper medical attention, the pangs of childbirth wore women out in early life.²⁶ Few married women lived past thirty-five; thousands died in their twenties or ‘teens. It was not often that a woman had an opportunity to marry again, but there were few widowers who did not take a second, third, fourth, or even a fifth wife.²⁷ Such marriages were favorably regarded if they did not occur too soon after the death of the last mate. But there were cases of marriage within two or three months after the burial of the deceased partner.²⁸ In the colonial era, as now, old men frequently married young girls.²⁹

²⁵ The Maryland law of 1640 required “publication” of marriage banns in “either church, chapel, or county court.” The North Carolina law of 1741 required the publication of banns or the issuance of a license prior to the wedding ceremony. Banns were to be published three times, “as prescribed by the rubrick in the book of common prayer.” In case the bridegroom preferred a license, he obtained it from the clerk of the county court in which the bride resided, but before the clerk issued it, he required the groom to enter bond for £500 that “there was no lawful cause to obstruct the marriage.”

²⁶ One mother lost twenty children in early childhood. Cotton Mather’s wife married at sixteen, had ten children, and died at the age of thirty-two.

²⁷ Colonel Thomas Ferguson, a South Carolina planter, had five wives and twenty-seven children. George Washington’s brother Samuel had married five time before he was forty-seven.

²⁸ A New Hampshire governor married a widow six days after her husband’s demise, and it was reported in Virginia that a “funeral feast of the first husband” was used as a “wedding feast for the second.” A North Carolina newspaper reported that a man had taken a second wife “after enduring the forlorn condition of a widower, with the most exemplary patience and fortitude, for the tedious space of nearly two months.”

²⁹ Governor Arthur Dobbs of North Carolina, at the age of seventy-eight, married a young lady of “sprightly fifteen.”

A young lady was supposed to be the "dutiful daughter of her father" until she became the "obedient wife of her husband." The husband's control over his wife's person extended to the right of corporal punishment. Most colonists, especially males, probably agreed with the seventeenth-century English legal writer Edmund Wingate, who said in his *Maximes of Reason: Or The Reason of the Common-Law of England*, "Her will ought to become his will," and "to make her obedient thereunto, the Common-law doth seem to allow him to give her lawfull and reasonable chastisement." They also approved the views of *The Spectator* that "separate purses between man and wife" were "as unnatural as separate beds." The idea of unity of husband and wife was a basic principle of the law, in England as well as in the colonies. Married women were without political rights and were legal nonentities. They could have no property of their own; what they owned prior to marriage became their husbands'. On the other side of the picture, however, husbands were legally responsible for debts incurred by their wives.

There were many instances of "domestic discord" in colonial families. Notices regularly appeared in the newspapers that a wife had "eloped" or "absented herself" from her husband's bed and board, and threatened any person who "harbours or entertains" her with "the utmost rigour of the law." "Reflections on unhappy marriages" was a favorite theme of colonial journalists. Among the causes of the "degeneration of the Married state" were "female extravagance," excessive fondness for dress and display, and neglect of domestic duties.³⁰ Despite the large number of cases of conjugal infelicity, divorce and alimony were rare. The Anglican Church refused to sanction divorce, all churches condemned it, and general opinion was hostile to it. In no colony did legislatures or courts have power to grant an "absolute divorce."³¹ In many instances, however, they granted a man or wife "separation from bed and board." And in some cases a man simply left his wife, usually stating in the newspapers that he would not be responsible for her debts. Occasionally, a husband made public announcement that "I cannot live with her."

Poor Relief. Not all colonists regarded America as a land of opportunity. There were many who, because of illness, blindness, mental deficiencies, infirmities, and old age, could not earn a livelihood in the New World, despite their wish to do so. In addition, as a result of Parliamentary legislation in 1662 and

³⁰ The epitaph of John Custis read:

"Aged 71 Years, and yet lived but seven years,
which was the space of time he kept
a bachelor's home at Arlington
on the Eastern Shore of Virginia."

Willie Jones, the "radical leader" of Revolutionary North Carolina, wrote in his will: "I leave to my wife to do better for herself if she can."

³¹ England forbade colonial legislatures to pass statutes granting divorces, and most colonial courts refused to grant them, though some were allowed in Massachusetts and Connecticut, among other colonies.

1717, justices of the peace could ship "rogues, vagabonds, and sturdy beggars" to America. Many of these undesirables brought with them the dislike for work they had previously acquired. The colonial authorities were ready to help the first type, but, as in England, had little use for those who could work but would not do so.

Colonial legislatures tended to follow the English system of supervising relief for the poor, placing responsibility on the localities, which in turn taxed property owners within their jurisdiction to raise the necessary funds. In the North the town was the unit;³² in the South it was first the parish, then, after local government was more firmly established, the county. Whatever the unit, it appointed overseers of the poor, usually "Impowered to releave Such persons as they Shall deeme Objects of Charity and to draw bills upon the Treasurer for Such moneys as they Shall disburse for Such Ends."

There were several methods of effecting such relief. One was to insist that each family take its turn "taking in" a destitute person for a certain number of weeks each year. Another was the "putting out" plan, under which some family in the community provided room and board for a pauper in return for a specified amount of money from the town's coffers. Thus, a certain Elizabeth Burger of New York was paid £6 "for supplying her with necessaries for the use of the poor and for her Care and trouble about them for one year." In such cases, however, clothing and medical expenses were paid by the town, not by the family. The salary of a doctor for the poor averaged around £8 a year. Another method was to grant a dole to those who could not fully support themselves. A fourth means was the publicly supported almshouse, the first of which was probably established in Boston in 1660 and gradually copied by larger towns elsewhere. The almshouse was for those who had honestly but unsuccessfully tried to improve their lot. The overseer of the almshouse was expected to "sett the Poor to work" on such tasks as "carding, Knitting, Spinning, Dressing Hemp or Flax, Picking oakum or other Labour, that such Poor as are able to work, may not Eat the Bread of Sloth & Idleness, and be a Burthen to the Publick."

The naturally lazy, on the other hand, were sent to the local house of correction or workhouse; included in this classification were "common pipers, fiddlers, runaways, stubborn servants or children, common drunkards, common night-walkers, pilferers, wanton and lascivious persons, . . . common railers or brawlers such as neglect their callings. . . ."

Another form of relief was to apprentice dependent orphans, illegitimate white children, and "children of vagrants" to masters, who were responsible for teaching them their trade until the unfortunates reached maturity. Most colonial legislatures also passed measures forbidding ship captains to land passengers who might become public charges.

In addition, there were many private agencies of relief. Every religious de-

³² In New Netherland, however, church deacons originally cared for the poor of New Amsterdam with voluntary contributions placed in "poor-boxes." The deacons had to give regular public accountings as to how they disposed of such funds. After the English conquered New Netherland, they substituted the system of town control.

nomination attempted to take care of the poor within its membership. Organizations like the Masons, the Sons of St. George, the Sons of St. Andrew, and the Friendly Sons of St. Patrick also did their share in trying to improve the lot of paupers. The Society Hospital in New York was dedicated in part to "the Relief of the indigent."

On the other hand, not much attention was given to the care of the insane. They were treated virtually as criminals and were confined in cages or cells. As an indication of this, when plans were made to alter and repair the "Gaol & Alms house" in New York City in 1770, it was decided "that the west end of the new building is very convenient to erect Cells for the Mad people instead of the Cuddys [lockers] taken out of the hot house."

Crime and Punishment. In a country where there was comparatively little unemployment, where land was easily obtained, where wages were high, and where food was abundant, crime was not widespread. Few colonists could use the excuse of desperate need for entering a career of wrongdoing. Yet, there were numerous instances of murder, thievery, counterfeiting, arson, forgery, adultery, and other crimes in colonial America. In dealing with these and other offenses, the colonists were ready to mete out what would be considered today severe and sometimes inhumane punishments, but by contemporary standards they were comparatively moderate. For example, in England there were approximately three hundred felonies for which the death penalty was exacted. In the average colony, on the other hand, capital punishment was normally inflicted for only three crimes: murder, treason, and insurrection. But there were exceptions; the normally humane Pennsylvania had fourteen capital offenses, and Massachusetts, during the period of Puritan supremacy, handed down death sentences for numerous crimes against the church.

It was perhaps natural that punishments be severe because of the belief that a criminal deliberately chose his course, and, therefore, his resulting wickedness did not merit mercy. Society must be protected from such a villain, and the severer the punishment, the greater would be the protection for law-abiding citizens. Such punishments were generally inflicted publicly, as a deterrent to others. After one public whipping a contemporary newspaper stated, "It is hoped this Method of exposing such Criminals, will have a better Effect." As to the criminal himself, there was little thought of reforming him or of altering the causes for his way of life.

The normal method of inflicting the death penalty was by hanging. The condemned person was placed on a cart, which was pulled from under him after the rope had been adjusted around his neck, or he was flung from a ladder. He then slowly strangled to death, instead of having his neck broken instantly. His body might be left hanging throughout the remainder of the day. In New York a seaman found guilty of murder was hanged, after which "his Body was hung in Chains on the most conspicuous Part of Bedloe's Island, in our Bay." The purpose of this was to warn future criminals of what might be their fate. Sometimes a body might be drawn and quartered, with the various parts conspicu-



The public gaol at Williamsburg, with stocks or pillory outside. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

ously displayed in different sections of town. A less common method of capital punishment was burning at the stake; it was usually reserved for slaves and for women convicted of treason.

Yet, many colonists did escape the death penalty for manslaughter, chancery-murder (accidental or unpremeditated killing), and other possible capital crimes by pleading benefit of clergy. This privilege, dating back to medieval times, was originally claimed by members of the clergy in order to transfer jurisdiction in criminal cases from temporal courts to ecclesiastical ones, which did not inflict the death penalty. Gradually, over the years, benefit of clergy was broadened to include anyone who could read. English legislation upheld this version, and it was brought over to the colonies, especially in the South, and occasionally in New England.³³

Lesser crimes were dealt with by some form of corporal punishment. Mutilation was practiced in all the colonies, but was less prevalent in Maryland and Virginia. A culprit's tongue might be cut off for perjury or for "malitious & scandalous speeches." A robber might be branded with the letter "T" for thievery, or with "B" for burglary. A sentence might entail loss of one or both ears, slitting of the nose, or branding of the hand. In some colonies there were progressive punishments; for example, blasphemy might result in fine and piercing of the tongue with a hot bodkin for the first offence; branding and a larger fine for the second; and execution without benefit of clergy for the third.

Several colonies insisted that the guilty person also rectify his wrong as nearly as possible. A robber had to return the goods he had stolen, an arsonist had to make good the property lost in the fire he had started, and rape might result in compulsory marriage.

The average criminal, however, was treated less severely. There was the ducking stool, a rude chair attached to a long wooden beam. In it was placed a common scold, a witch, a prostitute, or some other woman who had broken the law. An iron band prevented her from escaping. The stool was then "ducked" into some river or stream, the number of times being determined by the court. Males who had committed lesser crimes might be sentenced to the pillory, a frame with holes through which the offender's head and arms were placed; he was compelled to stand in that position throughout the length of his sentence. Then there were the stocks, through which the culprit's hands and feet were locked. He could sit during his punishment, but irate townspeople might pull the stool from beneath him, or tip his body backwards so that he would hang head down, or pelt him with overripe fruit and vegetables.

Every town that held court sessions also had a whipping post, usually painted red as a warning to evildoers. Whipping was reserved for crimes too vicious for the ducking stool, the pillory, or the stocks, but not sufficiently severe for the gallows or the branding iron. The number of lashes—with a whip not so inhumane as the cat-o'-nine tails the army and navy used—depended on the crime, and seldom exceeded thirty-nine, which, however, were "well laid on."

All of these punishments were meted out in public, and there were usually many witnesses. There was a dual purpose: to warn those who watched that a similar fate awaited them if they strayed, and to make the faces of the criminals known.

Imprisonment for crime was not in vogue in the colonies as it was in England. The cost of building and maintaining jails meant higher local taxes, to which the average colonist was averse. Besides, there was a smaller criminal class, and whipping, the pillory, and the stocks were just as effective and much less expensive methods of dealing with evildoers. Then, too, labor was scarce, and imprisonment would remove potential workers from circulation.

But there sometimes had to be places of imprisonment. A jail might be a room in a tavern, a cubicle in the town hall, in fact, almost any available space. None was too secure. Not until the eighteenth century was well under way did towns erect real jails or houses of correction or "bridewells." These were places of punishment, not of correction. They were usually filthy, and no effort was made to segregate the prisoners. With the exception of New Jersey, inmates were charged for their board; if they could not pay, the jailer might sell them into indentured servitude at the expiration of their sentences.

THE LABOR PROBLEM IN THE COLONIES

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Despite the rapid increase in colonial population, especially between 1689 and 1775, there was constantly a scarcity of labor, both skilled and unskilled. This may be accounted for in part by the fact that land was cheap and abundant, especially in the back country area, and thus attracted many new arrivals who normally would be employed as farm hands by the wealthy plantation owners of the South or the holders of large estates in the North. The rise of towns created a new demand for skilled labor, but the majority of new immigrants had been farmers in the Old World. Consequently, throughout the colonial period there was a constant search for workers, either voluntary or involuntary. The result was a flood of indentured servants, redemptioners, convicts, and Negro slaves to the English colonies, particularly in the eighteenth century.

Labor in the Towns. In the growing towns of colonial America there was an increasing demand for both skilled and unskilled workers. Carpenters, masons, blacksmiths, butchers, bakers, shoemakers, tailors, accountants, wheelwrights, and many other types of artisans were constantly needed. They were not always available; because skilled craftsmen received higher wages in Europe than did their untrained brethren, they did not migrate so readily. It has been estimated that there was only one free worker for every ten town residents in America in 1700, although that ratio probably increased as the eighteenth century advanced.

With the paucity of town workers, wages naturally tended to rise. Protests from employers, however, led to colonial legislation fixing maximum limits. For instance, Massachusetts as early as the 1630's established a ceiling of two shillings a day for laborers, and other colonies followed this example. After about 1690, however, the responsibility for establishing wages was usually turned over to town authorities, which replaced general wage scales with ordinances setting up specific fees for bakers, butchers, cartmen, and others who were engaged in more or less noncompetitive pursuits. Despite these efforts at wage control, skilled workers earned about twice as much as similar craftsmen in England, and unskilled laborers about 50 per cent more than those back home.

A colonial artisan. (Courtesy of North Carolina State Department of Archives and History)

The colonial guild system also had a significant effect on labor. Local ordinances regulated master workmen in a variety of ways: the quantity they could produce, how many journeymen they could employ, and how many apprentices they could train. The general purpose of such measures was to maintain the quality of the product.

Because wages were good and opportunities to obtain jobs excellent, there was practically no labor class consciousness and few efforts to unionize in the modern sense of the word. Here and there, it is true, master workmen sometimes combined to establish a sort of monopoly in their craft, such as Massachusetts shipbuilders in 1644, New York coopers in 1672, and Philadelphia cordwainers and tailors in 1718. And white workers frequently banded together to keep Negroes from competing with them; an instance of such action occurred among the river pilots of North Carolina in 1773. But strikes were infrequent during the colonial period. What few there were, such as that of Savannah carpenters in 1748, generally attempted to improve working conditions, not to obtain higher wages. Perhaps the closest approach to labor organizations were benevolent societies, formed to provide sick benefits and burial funds. They were forbidden, however, to do anything about wage increases, shorter hours, or the like.

Hours of labor were much longer than at present, but shorter than in contemporary England. Sunrise to sunset was the normal working day during the week, but "blue laws" insisted that the Sabbath be a day of rest. Sometimes, too, Saturday afternoon was a "time-off" period. There were few complaints about a sixty-hour work week because it was an accepted thing.

Farm Labor. The problem of obtaining labor on the farm was much greater than in the towns. Though there was an abundance of land in colonial America, labor to work it was always scarce. Captain John Smith wrote in the early days, "This country is long on land and short on man." But labor was absolutely essential to build houses, cut down virgin forest, clear the land, sow the seed, reap the harvest, and perform hundreds of other tasks. Its scarcity partly explains the colonial hatred of idleness and the glorification of hard work; sermon after sermon asserted it was sinful not to work. To make matters worse, the law of supply and demand made it possible for available laborers to ask, and fre-



quently receive, higher than customary wages; John Winthrop constantly complained in his letters about this situation. A major reason for the shortage was the abundance of cheap land. Why should a freeman work for wages when he could easily acquire his own property and be an independent farmer himself?

One answer to the agricultural labor shortage was large families. Each member, from the father to the youngest child, was expected to do his or her part in the family enterprise. The father had to be practically a jack-of-all-trades; the wife had to keep house, make the clothes, churn the butter, manufacture the soap, and perform many other tasks; from an early age, each youngster was impressed—sometimes this had to be done in the woodshed—with the need of accomplishing his delegated chore in order that the whole task might be successfully completed. Family labor probably worked best in New England, where the average farm was small.

Yet, even in that region agricultural communities needed "hired hands," who were difficult to find, and their work was generally satisfactory. When obtainable, such free white workers were paid in clothing, food, an order on the nearby store, or, most infrequently, in money. Wages were not uniform, but toward the end of the colonial period they averaged £18 a year in New England, £12 in the Middle colonies, and £20 in the South.

"Changing works" was another method of trying to solve the labor problem. The able-bodied men of the community would cooperate in building a house or a barn, in gathering the harvests, and the like. The womenfolk cooked the food for all these workers, and also held quilting parties.

Some attempts were made in the early years to obtain Indian labor, but the tribesman was not a good worker, either as a hired hand or as a slave. As a hired man he was not dependable; he might show up one day and not the next. As a slave, he was not docile and was apt to run away at the first opportunity. New England and South Carolina were the major areas where Indian slavery was tried.

With such labor shortages, colonial agriculture would not have flourished as it did had not plantation owners and farmers, particularly in the South and to a lesser degree in the Middle colonies, been able to find other sources of labor: white servants and Negro slaves.

Voluntary White Servitude. Scarcity of free white workers, either for farm or industry, led to a colonial demand for labor of a servile type. There were thousands of Englishmen in particular and Europeans generally whose lot was unfortunate, and who were therefore willing to sell their future services in the New World in exchange for passage across the Atlantic. These so-called voluntary servants were divided into two main categories: indentured servants and redemptioners, who were also referred to as "Christian servants" and "free-willers."

The first to arrive in large numbers were the indentured servants. In England, the chief source of such servants, unemployment was widespread, wages low, depressions frequent, and poverty rampant. Thus, there developed a large,

mobile population with few if any ties that bound them permanently to the land of their birth. To this element America was a land of opportunity, and its members were willing to mortgage a few years of their future to reach the colonies. Henry Fielding quoted in *An Enquiry into the Causes of the Late Increase of Robbers*: "There are few, if any, nations or countries where the poor . . . are in a more scandalous nasty condition, than in England." But these unfortunates did not have the passage money—usually £5 or £6—to the promised land.

There were many colonial farmers ready to provide such funds, and more, in order to obtain the needed help, and thus there developed the indenture system. First of all, contact was made between the English poor and the colonist who wanted workers. This was usually done through some agent of the planter, who wanted to take neither the time nor the money to go to England to select the servants he desired. The agent might be some ship captain or merchant or emigrant agent, who would draw up a contract in duplicate on a large sheet of paper, which was then torn or cut in half, the cut being referred to as an indent; from this indent the term *indenture* was derived for the contract itself.

In this contract the master, or party of the first part, agreed to transport the servant, or party of the second part, to America, provide him with sufficient food, clothing, and housing during the life of the contract, and at its termination pay the so-called freedom dues. The party of the second part in turn promised to serve his master by performing such tasks as the master determined for a specified time and sometimes at a specified place, such as the master's plantation. The length of the indenture varied; it was usually for four years, but might be as long as seven or as short as one—which was exceptional. The longer period of service generally involved a minor. Some prospective servants were good bargainers and had special clauses included in their agreements. For example, a minor's indenture might state that he be educated at the master's expense, a skilled worker might insist that he not be called upon to perform menial tasks, such as working in the fields, and a foreigner could have inserted the provision that he be taught English. Freedom dues generally included a suit or two of clothes, a set of tools, a "well fixt gun," and sometimes fifty acres of land.¹ As time passed, such dues were usually regularized by local custom. Thereafter, the indenture merely stated that freedom dues would be the "custom of the country."

The indenture was by no means a one-sided contract in favor of the party of the first part. Colonial courts normally upheld all rights guaranteed to the servant in the indenture.

A colonial servant. (Courtesy of North Carolina State Department of Archives and History)

¹ By the middle of the eighteenth century granting of land was dropped in a majority of the colonies.



There are records of their releasing a servant from his agreement because a master had failed to live up to his part of the bargain. By the eighteenth century the "custom of the country" had been enacted into law in most colonies. And servants were protected by English statutes that required every ship captain to give an adequate accounting of all his passengers so that kidnapping could be prevented.

Many merchants, ship captains, and emigrant agents participated in the indenture business on their own account. They would sign up poor individuals, transport them to the colonies, and sell them to buyers on arrival. This was a profitable business. The cost of transportation was between £5 and £6; equipping the servant with clothing until he was sold would be less than £5; and expenditure for his food and shelter until his contract was purchased would not exceed a pound or so. Thus, the total cost of signing up a servant, taking care of his welfare, and shipping him to the colonies was a little more than £10. The price the servant brought depended on his strength and ability, as well as upon the law of supply and demand in the colonies. Generally, the sum ranged from £15 to £30; the higher price was normally given for those with special skills. The agent therefore made a goodly profit, even though some of the servants died on the transatlantic voyage or became too ill to be sold. Seldom did cash exchange hands in these deals. The seller usually accepted colonial produce, such as tobacco, wheat, or naval stores. Sometimes, the sales were made on the ship's deck, with the agent doing his best to make the servants look as healthy and able as possible and to play up their virtues. At other times, a group of servants might be taken from town to town, or from farm to farm, until buyers were found.

The second type of servants, the redemptioners, came principally from Germany and to a lesser extent from Switzerland. Disturbed by wars, both civil and religious, by droughts, and by unemployment, an increasing number of these unfortunates flocked to western European ports, mainly Rotterdam, early in the eighteenth century. On their arrival they discovered they did not have sufficient money to complete their journey to America. Merchants and ship captains were on hand, however, ready to deliver such families to the colonies and allow them two weeks to find some relative or friend who would "redeem" the money for their passage. Generally, this was difficult to obtain within the allotted time, and the ship captain would then sell the "redemptioners" into what was practically indentured servitude. The agent normally made about 15 per cent on his investment—the cost of passage—as "an Indemnity for the Charges & laying out of the money."

There were several important differences between the regular indentured servant and the redemptioner. In the first place, the servant made an individual bargain before he sailed and came over singly; the redemptioner, on the other hand, came over with his family. The indentured servant knew the terms of his servitude, and he was provided with clothing, food, and shelter from the time he put his *X* on the contract until it was terminated; the redemptioner had to make the best terms he could only after his arrival in the colonies, and such terms

might not be so advantageous as those made by the servant. Also, as one writer has expressed it, "indentured servants came essentially as cargoes of merchandise representing a supply of labor," whereas redemptioners "came essentially as emigrants hopefully transplanting themselves to a new home in America."

In the seventeenth century most servants came from England, the largest influx occurring around 1660. There was no single year, however, in which more than thirty-five hundred such persons arrived in the colonies. By the end of the 1670's it has been estimated that one out of every ten whites in the English provinces was serving an indenture. Of these, approximately six thousand were in Virginia, some two thousand were in Maryland, and about two thousand to forty-four hundred were scattered in the remaining colonies.

In the eighteenth century the number of servants from England declined in the early years, but picked up again just before the Revolution, when huge numbers migrated to America. Redemptioners began to arrive around 1710, increased in numbers in the 1720's, and reached their peak about 1750. Scotch-Irish and Irish started coming in large numbers in the late 1720's, and they furnished by far the largest percentage of both servants and redemptioners in that century. It is impossible to furnish exact figures on the total number of voluntary servants of both categories who reached America, but estimates indicate that not less than 50 per cent and not more than 66 per cent of all white immigrants belonged to these groups. They were to be found in every colony, but the smallest number was in New England, and the largest in Pennsylvania, Maryland, and Virginia.

Because most of these voluntary immigrants had been farmers in the Old World, and because agriculture in America needed laborers, it was only natural that the majority of servants and redemptioners should complete their service on some farm or plantation. Yet, there were also many who had some special training. They might be used as tutors, accountants, salesmen, or artisans. On the other hand, those servants who were lazy, unskilled, and indifferent to the terms of their contract were bad risks for both master and colony.

On the whole, both types of servants received fair treatment. Many laws were passed guarding them against arbitrary masters. They were protected in life and limb, and could appeal to the courts against various kinds of mistreatment. Sometimes they became virtually members of the master's family. On the other hand, laws were not always rigidly enforced, and occasionally a master would try to get as much work as possible from his investment. Corporal punishment, mainly whipping, was inflicted on an unruly servant, and in case of crime, he might receive a punishment heavier than that inflicted upon a free person. Were he to run away, his period of servitude might be doubled, and he could not marry without his master's consent.

In most colonies no stigma was attached to such servitude once the indenture was completed. By dint of ability and hard work, it was possible for an ex-servant to mount the political, economic, and social ladder. The forebears of Christopher Gadsden of South Carolina, of Benjamin Franklin, of Daniel Dulany, an outstanding Maryland lawyer, and of Charles Thomson, secretary

of the Continental Congress, were but a few of many prominent Americans who came over as indentured servants.

There were many advantages to voluntary servitude. Servants and redemptioners provided perhaps the greatest immigration agency of the colonial period. They also ultimately formed the backbone of the colonial middle class, without which America could not have become strong. The indenture system not only saved many persons from imprisonment for debt and other cruel punishments in England, but also relieved the mother country of some undesirables. The system was the source of a goodly percentage of the skilled and unskilled workers in America, who contributed to the economic well-being of the colonies. And, what has been generally overlooked, it was a factor in education. Thousands of servants were taught to read and write, and thousands more were given vocational training; indeed, this system has been referred to as the first large-scale program of vocational training, and it was undertaken without assistance from any governmental agency.

Apprentices. A less important form of voluntary servitude, numerically speaking, was apprenticeship. Most of the youths involved were colonists by birth. Colonial laws regarding apprentices generally followed those of England. The father of a youth who wanted to learn a particular trade signed an article of apprenticeship with a master craftsman, which was as stringent as an indenture. The master agreed to teach the youngster his trade, as well as the three R's, and, at the end of the training period, give his pupil freedom dues, generally consisting of clothing and money. It was also the responsibility of the master to provide the youth with food, clothing, and shelter. The parent promised that his child would work industriously, and gave the artisan between £2 and £6. This monetary payment elevated an apprentice above a minor who was indentured, and who usually performed only farm work.

The period of apprenticeship depended on the skill required in the trade being learned. The average time was seven years, as in England, but the colonial demand for skilled workers tended to halve that period. The system was not widespread in the South, where manufacturing lagged, but it was prevalent elsewhere. Were a master to die before the apprentice's training was completed, another skilled artisan could fulfill the obligation. If a master failed to give the proper instruction, the parent could demand a transfer of his son to someone else. According to colonial opinion, apprenticeship was needed to protect the professions from unfair competition, as well as from incompetent workmen, and to maintain high standards of craftsmanship within the trades.

When the apprenticeship was completed, which meant that the trade had been thoroughly learned, the youth generally became a journeyman. As such, he might be the regular employee of the master; otherwise, he would travel around the country in search of work. Blacksmiths, carpenters, coopers, ship captains, shipwrights, shoemakers, and tailors were the major skilled artisans who made use of the apprentice system, which contributed greatly to the supply of trained workers in colonial America.

Involuntary Workers. Because of a harsh penal system, English jails were filled with thousands of persons whose only crime was inability to pay their debts, and many others convicted of vagrancy under laws prohibiting laborers from moving from one parish to another in search of work. Still others were in prison because of their political views. And, of course, England did have its share of "loose and disorderly persons" and hardened criminals.

In the opinion of many Englishmen, the way to solve the problem of bulging jails was to ship the inmates to the colonies. Sometimes the motivation was humanitarian; or it might be economic, deportation being less expensive than caring for the "criminals" at home; or it might be the wish to rid the country of undesirable elements—the "safety valve" theory. In any event, Parliament in 1717 authorized the transportation of certain criminals to America, at the discretion of the courts, for terms of not less than seven years, and the courts, acting on their own responsibility, made their own decisions respecting lesser culprits.

If a person in prison for a lesser crime could pay his passage to the colonies, he was free to go. Those convicted of more serious offenses would be transported to America, where they were sold into servitude for a normal period of seven years—they were referred to as "His Majesty's Seven Year Passengers." Hardened criminals might have to work as servants for as long as fourteen years. Between 1717 and the American Revolution the number of convicts sent to America has been variously estimated at from forty to sixty thousand. Many of them were not basically vicious, but others had made a profession of robbery, counterfeiting, and even murder. It was principally because of these habitual criminals that some colonies enacted measures against their admission; in each instance, however, the Privy Council disallowed such laws. Most of the convicts were sent to Virginia and Maryland, and in the latter colony they, with indentured servants and redemptioners, formed the basis of the servile white population.

Kidnapping. Still another method of obtaining involuntary workers was through kidnapping. Despite English laws, kidnapping of both children and adults was engaged in by "crimbs," who "spirited" away unwary souls and shipped them to America, where their services were sold in somewhat the same fashion as those of the redemptioners. The practice started early and continued well into the eighteenth century. One contemporary writer asserted that there were at least fifteen hundred victims of kidnapping in America by 1627. Hugh Jones, in his *Present State of Virginia*, made reference to the large number of "kids" in that colony, and later writers claimed that between ten and sixteen thousand were spirited in a single year, though such claims are clearly extravagant. Nevertheless, there were undoubtedly many thousands who were sent to the colonies by this means.

Negro Slavery. The greatest source of involuntary servitude was Negro slavery. The first Europeans to engage in the Negro slave trade on a large scale

were the Portuguese. About the middle of the fifteenth century they sailed along the west coast of Africa, where they discovered that "black ivory" was easily available to meet the European demand. Faced with the problem of labor in the New World at the opening of the sixteenth century, Spain began to compete with Portugal in the African slave market.² The traffic in slaves proved so profitable that Englishmen such as the Hawkinses, father and son, entered the field several decades later and illicitly sold their cargoes of human freight in the Spanish West Indies. About the same time, the Dutch, partly for profit and partly to weaken the hated Spanish, embarked upon the slave trade. Throughout the rest of the century Dutch slavers held a virtual monopoly of the trading stations in Africa.

The more or less official English recognition of this traffic began with the granting of a monopoly to the Royal African Company in 1672, an organization in which the Stuart family was personally interested. It has been estimated that this company sent more than forty-five thousand slaves to the colonies, chiefly those in the Caribbean, before the end of the century. So great were the profits that other English companies demanded the right to participate; therefore, in 1698 the Royal African monopoly was ended, and the trade thrown open to all Britons.

The expected boom did not materialize immediately because of the War of the Spanish Succession (1702-1713), but soon after the signing of the Treaty of Utrecht the number of slaves transported to the New World mounted rapidly. The chief reason was the *Asiento*, an agreement that permitted England to send at least forty-eight hundred slaves to Spanish America each year. Also important was the fact that enterprising English traders broke the virtual Dutch monopoly in Africa. As a result, an estimated annual average of thirty thousand Negro slaves was shipped to America after 1713.

The first record of the importation of Negroes to English America was in 1619, when twenty were sold as servants—not slaves—to Virginia planters.³ Actual slavery did not start until some decades later, and the number of Negro slaves on the mainland grew slowly during the remainder of the seventeenth century. Virginia had only three hundred in 1650, two thousand in 1670, and four thousand in 1690; in all of New England there were but two hundred in 1680; and by 1700 there were probably not more than twenty-five thousand in all the colonies.

Thereafter, however, the growth was rapid. By 1715 there were perhaps sixty thousand Negro slaves in America, and by 1760 the number had jumped to nearly four hundred thousand, approximately three quarters of whom were to be found from Maryland southward. Slaves nearly equaled the white population in Virginia, but in South Carolina they outnumbered the whites, seventy thousand to thirty thousand. In the North the agricultural system was not conducive

² Theoretically, under Spanish law Indians were wards of the government and could not be enslaved. Negro servitude was the answer to the problem.

³ See p. 49.

to slavery, and the demand for laborers was largely answered by the introduction of voluntary and involuntary white workers.

The great impetus to slavery came with the development of rice culture in South Carolina, where the average white could not work long in the hot climate and marshy fields. Because of its close economic ties, it was only natural that South Carolina should import slaves from the West Indies. Indeed, a large percentage of all Negroes imported into the mainland colonies did not come directly from Africa; they were purchased in the West Indies, where they first became accustomed to the American climate and conditions. Another impetus to slavery was the rapid increase of tobacco production, particularly in Virginia, Maryland, and North Carolina, as a result of which the planters sought a cheap and permanent form of labor.

In New York, which had the largest number of slaves in the North, Negroes were to be found principally on the big estates along the Hudson River, where, as in the South, they worked in the fields. Some were also purchased by residents of New York City for menial tasks or in occupations such as digging, carting, and carrying—work in which muscles were needed. Slavery did not gain a foothold in New England, not because of Puritan religious or moral scruples against it, but rather because it did not fit into the economic pattern of diversified agriculture and industry. What slaves there were in New England—only about 2 per cent of the total population at the close of the colonial era—were used as house servants, porters, stevedores, and the like. The remaining colonies in the North had more slaves than in New England and fewer than in New York. This was the result of several factors: Quaker opposition to the institution, the scarcity of large estates where slave labor might be profitable, the opposition of German redemptioners to competition from such labor, and the large percentage of voluntary and involuntary white servants who considerably eased the labor shortage.

The Triangular Trade. Even though the average New Englander was not interested in Negroes as slave laborers, the shippers, particularly of Rhode Island, regarded them as sources of profit. A captain would take a cargo of rum to the **West African coast**, where he would negotiate with a slave "broker" for a group of natives who had been obtained by purchase from native chiefs or kidnapped from weaker tribes. The broker's selling price averaged about a hundred gallons of rum for an adult male, eighty-five gallons for a female, and perhaps sixty-five for a child. The purchases would then be herded on shipboard—the normal cargo for a sixty-ton ship would be seventy-five slaves—for the crossing of the "middle passage" from Africa to the **West Indies**. Except for short periods of exercise to keep them in good physical condition, this human freight was squeezed "'tween deck" in quarters perhaps not more than three feet high and allowing not more than sixteen inches by five feet per slave. Such quarters were poorly ventilated and, combined with the heat, soon became unwholesome. Little attention was paid to hygiene, and the food served was of

inferior quality. It was not unusual for 8 per cent of the cargo to die. Except for those who rebelled or tried to escape by jumping overboard, however, the slaves were not treated cruelly, by colonial standards, for they were a valuable cargo.

Most of the slaves were sold in the West Indies, where the price for an average male was £21, for females, £18, and for children, £14. About a third of the total sales price was invested in sugar and molasses, and the remainder was usually paid in specie. The ship then returned to its home port with a net profit from this triangular trade of at least £300. Newport, Boston, Salem, and later New York City were the centers of this traffic, which not only provided slaves for plantations, but molasses for rum distillers and hard money for merchants.

Problems of Slavery. As the slave population grew, various problems arose. Some colonies, notably Georgia, Maryland, Massachusetts, Pennsylvania, South Carolina, and Virginia, worried about the effect on white settlers, attempted to curb the admission of Negroes, usually by placing import taxes upon them. In each instance, however, the British government disallowed the measures, for it regarded slavery as both a direct and indirect source of imperial wealth and tried to encourage the traffic. The Committee on Foreign Plantations stated in 1663, even before the institution had gained much of a foothold, "Black slaves are the most useful appurtenances of a plantation," and a successor to this committee, the Board of Trade, announced about 1730 that the colonies could not possibly get along without an adequate number of slaves.

Efforts were also made to stem the growth of slavery on religious grounds. A Quaker congregation in Germantown, Pennsylvania, went on record against enslavement of Negroes in 1688. In the middle of the eighteenth century Quakers, led by John Woolman, opposed ownership of slaves by any of their own members. On the other hand, attempts on the part of colonists to Christianize slaves were violently opposed by slaveowners, who took the position that such a trend would impair a slave's economic value. His cost of maintenance would increase, they said, and it would change his attitude toward his status. There was also the feeling that if a slave were Christianized, he automatically became free.

Particularly disturbing were fears of slave uprisings, especially where Negroes were numerous. One insurrection occurred in New York City in April 1712, when "some Cormantine Negroes to the number of 25 or so and 2 or 3 Spanish Indians . . . conspired to murder all the Christians" in the city "to obtain their Freedom." Twenty-one culprits were executed either by hanging, burning alive, being "broken on the wheele," or "hung alive in chains," and six committed suicide. The worst punishment was meted out to a Negro named Tom, who was sentenced to be "burned with a slow fire that he may Continue in Torment for Eight or ten hours & Continue burning in the said fire until he be dead and Consumed to Ashes." As a result of this uprising, the colonial legislature passed "An Act for preventing Suppressing and punishing the Conspiracy and Insurrection of Negroes and other Slaves." Under this measure no one could trade

with a slave without his master's consent; a master could punish his slave "at Discretion, not extending to Life or Member"; if more than three slaves congregated, they were subject to "being whipt upon the bare back, not exceeding forty lashes"; no slaves could own property; anyone who harbored a slave was subject to a fine of £5 for each day he did so; and any master who freed a slave must pay him £20 a year for life because "the free Negroes of this Colony are an Idle slothfull people and prove very often a charge on the place where they are."

At least three Negro plots were unearthed in South Carolina during 1739 and 1740. The most serious was the so-called Cato Conspiracy, which occurred about twenty miles from Charleston. During the uprising thirty whites and forty-four slaves were killed. Another insurrection threatened New York City in 1741, which was blamed on one John Urey, "a suspected Romish priest." He was hanged, as were eighteen Negroes; fourteen others were burned at the stake, and seventy-one deported from the colony. Another severe law was passed as a result. Some historians have concluded that many of these insurrections were more in the nature of rumors than anything else. The harsh punishments inflicted resulted from the wish to keep slaves in their place, rather than any tangible evidence of conspiracy and guilt.

Legal Status of Slaves. In all the colonies slaves were considered by law to be pieces of property. They could be sold in the same fashion as livestock, or rented to some other planter. Were a slave to run away, he was hunted down like an animal; when caught, his punishment could be severe. Any crime he committed was dealt with more harshly than if he had been a white person. His testimony in court, if allowed at all, was not deemed as valid as that of a white. In some colonies, particularly in the South, special slave courts, operating without juries, were established to try cases involving these chattels. The Southern colonies generally enacted slave codes, usually modeled after those of the West Indies and probably inspired by fear of insurrection—as was the New York law of 1712. The average code banned the bearing of arms by slaves, prohibited their hunting without a license, denied them the right to own property or to buy and sell goods, opposed their assembling, and generally regulated their movements. There were also specific colonial laws denying a slave the right to testify against a white man, and permitting a master to punish his slave as he saw fit, provided the punishment did not extend to life or limb. Yet, if a slave were executed by law, his master was paid for his property loss.

Despite these efforts to keep him "in his place," the average Negro slave was not badly treated. His naturally happy temperament caused him to accept his lot, which was probably better and easier than in Africa. His master knew that the better he was treated, the more work he would perform. On some plantations a feeling of affection developed between the owner's family and the slave; many a white child was brought up by a Negro nurse. Of course, there were many instances of ill-treatment, but generally they occurred when the supervision of slaves was left to an overseer who wanted to make a good showing for himself.

From the owner's point of view, slave labor had numerous advantages over hired white help or indentured servants. The slave worked throughout his life instead of for a specified period, and there were no freedom dues to worry about—although most masters took care of slaves too old to work. Children born to slaves became the master's property without cost. It was also the general belief that a slave became acclimated more easily, particularly in the South, and that he had greater strength and endurance than whites. Moreover, the cost of feeding, clothing, and sheltering slaves was much less, and they were more even-tempered and easier to command and control. Owners also contended that slaves were given "the blessings of civilization" and taught a trade.

In spite of these contentions, usually supported by those who sought to make fortunes from the slave trade or slave labor, the institution of slavery was undemocratic in a land to which the majority of white settlers had come to enjoy greater freedom. It was also based on an unethical foundation. But in an era when self-interest was paramount, the idea of civil rights was largely disregarded. In consequence, there were few attempts to end this unjust state of affairs, and those few efforts did not make much progress.

THE LAND SYSTEM AND AGRICULTURE IN THE COLONIES

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The English colonies were no exception to the general rule that agriculture is the principal economic pursuit of new and undeveloped areas. It has been estimated that at least 90 per cent¹ of the colonists obtained their livelihood from farming, or from industries directly associated with agriculture, such as the milling of flour and meal and the production of naval stores. Primary attention to agriculture was only natural. In colonial America there was an abundance of fertile and cheap land to be acquired quite easily—a situation very different from that of England. Indeed, Thomas Woodward wrote of the Carolina colonists in the 1660's, "It being only land they come for." Also, there was the imperative need for self-sufficiency in a new world, far removed by space and time from Europe. Food, clothing, and shelter had to be obtained on the site, and the land provided these, directly or indirectly. Commodities for export were sought, as an additional means of livelihood, for exchange, and in line with English mercantilist principles.

The Land System in Colonial America. Generally speaking, land was the chief form of wealth in most colonies. Consequently, the method of acquiring it, the size of grants, the cost and accuracy of surveys, the effectiveness of registration of titles, the type and amount of quitrents, inheritance laws, and measures concerning forfeitures and escheats were all matters of outstanding concern to the average settler. In addition, the availability of land and the comparative scarcity of labor frequently became important factors in shaping the political character, the social aspects, and, of course, the economy of the several colonies. It is true that particularly in the Southern provinces wealth was sometimes determined by the number of slaves owned, but slaves without land meant nothing.

According to the opinion of English lawyers and jurists, the king was "the immediate owner and lord of the soil and exercised unlimited power in the dis-

¹ This figure is certainly true for the eighteenth century. For the seventeenth, estimates run as high as 95 per cent. The remainder of the population consisted of fishermen, fur traders, merchants, shippers, mechanics, artisans, and professional men.

position of it." He obtained the ownership through right of discovery and eventual settlement by his subjects. The monarch in turn granted some of this land to companies, proprietors, and others. Royal charters, especially those to proprietors, included a grant of territory and some statement of the allegiance of the recipients to the crown, such as "free and common socage."² A token or nominal payment to the king, such as so many beaver skins or marks of lawful money, was a typical indication of such allegiance. Every royal grant was also subject to the right of occupancy by Indians, but the tribesmen did not have the right to dispose of this privilege to any others. Some colonies, notably in New England, enacted measures prohibiting the purchase of land from Indians without special permission from their legislatures, yet at the same time land grants included the right to extinguish Indian titles within them. An instance of the effect of a royal charter can be found in Rhode Island, where originally the colony recognized only Indian titles; after 1663, however, the king's title superseded that of the Indians.

The New England Land System. The system whereby recipients of royal land grants in turn gave or sold land to others varied. The manner employed by Massachusetts, and by New England generally, was in sharp contrast to that of colonies elsewhere. The Massachusetts legislature in the early years made direct grants to individuals as rewards for important public services, such as "adventuring" money in the company. Some one hundred such grants were made before 1635, averaging about 350 acres in size, with none larger than thirty-two hundred acres.

There were four different methods of acquiring land in New England. The first was by actual occupancy, or "squatting." For example, Salem, Boston, and Cambridge in Massachusetts and Hartford and New Haven in the Connecticut Valley were organized before there were any actual local governmental agencies established. With the provision for general courts, however, such legislatures assumed complete jurisdiction of the early communities. In 1634, for instance, the Massachusetts General Court stated that "no person whatsoever shall buy land of any Indians without leave from this Court." That this law may not have been fully obeyed is indicated by another measure in 1701, which asserted that any purchases made from Indians since 1633 were "null and void" and any purchase in the future without legislative permission would result in a heavy fine for the culprit. Thus, a second method was purchase from the Indians. This practice was followed exclusively in Rhode Island and to a large degree in Connecticut in the early days of settlement. But in 1651 Rhode Island refused to recognize such purchases without legislative approval. Both of these methods, squatting and purchase from the Indians, gradually died out as colonial governments were established. A third means was recognition of the right of land exchange among the Indians; this was limited to the tribesmen themselves. And

² Free and common socage, a relic of feudalism, meant that the "tenant" had to perform certain honorable services to the "lord" in exchange for the grant. Such services were nominal.

the fourth, the common practice after the original years, was the grant made by the legislature.

This last and prevalent method grew out of colonial experience. Townships were laid out before individual ownership was granted. Surveys preceded actual settlement, and the tracts were carefully laid out, the individual plots prepared, and the boundaries recorded. The English government liked this system, and attempted to put it into effect in South Carolina.

By far the greater part of New England land was given by the legislatures to groups or communities. As soon as the general court developed, it took charge of all ungranted lands and asserted its exclusive right to grant lands and create townships. As early as 1634 the Massachusetts General Court declared that "none but itself has power to dispose of land"; the following year it asserted that the "major part" of the magistrates should have the authority from time to time to dispose of the "sitting down of men" in any plantations, and that "one should go without leave from them"; and in 1637, a law was passed giving the General Court control over townships. The Fundamental Orders of the Connecticut "river towns" in 1639 gave their General Court complete control of the public lands, and Rhode Island adopted a similar policy in 1644.

These general courts carefully supervised the granting of land and the creation of townships. The object of "community grants" was the formation of a new settlement (a town or township), and these grants were usually made on petition from actual or prospective settlers of a new township. Then the formal grant, usually an area six miles square, was made to the "town proprietors," who were to live in the new settlement. The court generally set a time limit in which the settlers could occupy and improve their holdings, and, in the eighteenth century, a certain number of families was required to inhabit the new township within a specified time.

The three principal activities of town proprietors were to superintend the settlement of townships, to take care of the division of land, and to institute the common field system. In these varied tasks they acted as builders, settlers, and capitalists. As builders, the proprietors planned the township; they saw to it that the land was surveyed and divided into lots, that roads were constructed, that home lots were arranged properly, that farms and pastures were laid out, and that the town "common" and the burying ground were marked off. As settlers, they participated actively in the development of the township of which they were grantees by cooperating with other inhabitants in building churches, houses, and the like. As capitalists, the proprietors provided the economic beginnings of the new community. They claimed the "water rights," which were usually turned over to mill builders, together with small plots of adjoining land.

The town proprietors formed a rather distinct group in every town,³ but as

³ Several New England towns were granted to Indian "town proprietors." In 1659 Connecticut created the Golden Hill reservation for the Pequannock Indians. In 1667 the Pequots were granted two thousand acres near New London, and in 1749 the Massachusetts General Court declared that "the Indians of the Housatonic Tribe, who were and have been settled within the township of Stockbridge, and their heirs and descendants, are and shall be a distinct proprietary."

they included many of the most prominent inhabitants, there was little difficulty in the seventeenth century. By 1700, however, two distinct classes had developed, proprietors and nonproprietors. As the latter group increased and came to control town meetings, a controversy developed, especially over distribution of the "undivided lands." Thereafter, jurisdiction over land passed from the town proprietors to the selectmen.

Land Distribution Within the Township. Within the townships there were three types of land: (1) the cleared upland that provided plots for the village, home lots, and planting ground; (2) the meadows, which were used for pastureage and hay; and (3) the woodlands, which furnished fuel, as well as additional grazing for livestock.

The first step in actual settlement was the laying out of the village plot and the assignment of home lots. A small tract in the center of the township was reserved as the "town common," with the burying ground, the market place, school land, and church lots adjoining it. Next, home lots were assigned, followed by the division of arable land, the meadow, and the woodland.

Town or home lots were granted to individuals, each person receiving three to five acres. On this lot a house and perhaps outbuildings were constructed, with a garden and sometimes a cattle yard adjoining. The next step was the distribution of tillable land and meadows. In this distribution some persons received more than others on the following basis: (1) size of investment in the original enterprise; (2) ability to use the land; and (3) size of family. Many plots were laid out, with each settler receiving a number of small strips at various places in each. An effort was made to "equalize" these divided lots as to "quality and quantity." Sometimes this was done by the surveyor in charge, sometimes by "choice pitch"—or the scattering of one's lots—sometimes by granting of "equalizing lots" or "equivalent" after the original grants were made. Some meadow and tillable land remained under proprietary control or joint town ownership for future division, a necessity for town growth.

Then there were the "common fields," where individual holdings were thrown together and fenced. At first, these fields were under control of the proprietors, but gradually they came under the jurisdiction of town meetings. In the early days the legislature directed the proprietors to enclose all common fields and to keep the fences and gates in good repair. The latter tasks eventually devolved upon the local selectmen or their appointees. The kind of crop to be grown in the common fields was determined by the town meeting, but the resulting single crop in each holding was cultivated by the owner, and the harvest was his. Livestock were pastured on the stubble after the crop was harvested, and the number of such animals was carefully regulated by a series of mathematical equivalents determining the proportion between animals and acreage. For example, Dorchester's pasture had 480 acres and "120 cow rights."

This system was more than a form of land ownership; it was also a system of agricultural organization. Agriculture was a common as well as an individual enterprise. At first the proprietors, and later the town meetings, controlled the

undivided lands. From such lands anyone could take timber and stone. Albeit a democratic method, it was nevertheless uneconomical. The scattered holdings caused loss of time; the common care of livestock prevented managed breeding; it was difficult to cultivate long, narrow strips in the common fields. Gradually this system broke down for a variety of reasons: the disadvantages already mentioned; gradual bringing together of large tracts through inheritance, marriage, purchase, and exchange; and, particularly in the eighteenth century, land speculation.

The New England land system, with its planned economy, had some advantages over the "indiscriminate location" followed elsewhere in the colonies. In contrast with the Southern colonies in particular, the New England provinces had no distinct land offices. True, in the eighteenth century there were instances where Massachusetts and Connecticut auctioned off whole townships. Yet, those colonies did not seek permanent revenue from the sale or lease of public lands. With the exception of New Hampshire, quitrents were not used, and rents and alienation fines did not form an appreciable part of New England revenues. In fact, the Massachusetts Body of Liberties of 1641 and the Connecticut code of 1650 stated that the lands in those two colonies should be free from all fines and licenses upon alienation. Primogeniture and entail were not practiced, but the eldest son might inherit twice as much as his brothers and sisters.

Land Tenure in the Middle Colonies. The land system in the Middle colonies had some of the features of both New England and the Southern provinces. Grants were generally made by the king to either companies or proprietors. Though townships were not established by local legislatures, there were instances in which the settlers themselves would band together to set them up.

The average size of a holding in the Middle colonies was larger than in New England, averaging between one hundred and two hundred acres, which could be purchased in the seventeenth century for as little as £5 per hundred acres. In the eighteenth, however, the price at least trebled. These individual farms were compact, not scattered as under the New England system. There were also huge tracts under single ownership, especially in New York, where the Corts-landts, Pelhams, Livingstons, Beekmans, and Van Rensselaers might have title to manors as large as twenty-four square miles. In Pennsylvania the proprietor did keep large holdings for himself, and rewarded his friends with similar grants, and there were a few big estates in New Jersey, but these were the exception rather than the rule.

The inheritance laws in the Middle colonies were similar to those of New England except in the province of New York, where entail and primogeniture were the accepted practice. Quitrents were not high in the Middle colonies, but their collection was always a source of trouble.

Landholding in the South. The "headright" system of land distribution was the most common method followed in the Southern colonies during the seventeenth century. An individual who provided transportation to the colony of any

emigrant was entitled to at least fifty acres of land. During the same period, however, larger tracts were given by king, proprietor, or company to favorites, to those who had performed outstanding services for a company, or, as in the case of Maryland, to those who transported five persons to the province. Whereas some of these estates or plantations might be as large as ten thousand acres, the average was between three hundred and five hundred. Unfortunately, these plantations were not always contiguous; the recipient would select what he considered the best-looking land in various parts of the colony, avoiding swamps, heavy forests, and the like. This practice was known as "indiscriminate location."

In the eighteenth century most of the land was distributed by purchase, rather than by the older headright system, which had led to many frauds and abuses. For example, ship captains had been wont to submit a list of "passengers" whom they had brought over, a list containing the names of the crew members, or copied from any source available. The captains would claim fifty acres for each name on the list, and then sell the headrights they received to those willing to purchase them. Hence, after 1705 the new method was for colonial officials to sell fifty acres (more or less) for five shillings, with the stipulation that the buyer build a house on his land and cultivate three acres within three years. The average plantation size increased in this century, and there were at least two instances of unusually large holdings: Lord Fairfax obtained five million acres between the Potomac and Rappahannock rivers in Virginia, and Lord Granville received nearly one half of North Carolina (the so-called Granville District).

Either the governor or the proprietor established land offices within his colony in the eighteenth century to make sure that titles were correct, that there was no "squatting," and that quitrents were paid. The land offices required surveys of claimed acreage. In North Carolina a surveyor could charge £1 13s. 4d. for holdings up to a thousand acres, with an additional two shillings for every hundred acres above that amount. Here is a description of how land was "taken up" in North Carolina near the end of the colonial era:

The method of settling in Carolina, is to find out a space of King's land, or unpatented land, and to get an order from the governor, which order is given to a surveyor; when the survey is finished, he draws a plan of that space of land, which plan is returned into the office for recording patents. Then he gets his patent signed by the governor, which is good forever after; the expense of all this is commonly about ten guineas, and sometimes not so much: supposing the run of land taken up be 640 acres, only there is 2s. 6d. quit rents paid yearly for the hundred acres.

Despite the efforts of land offices to bring order out of chaos, their records were poorly kept. Many "blank patents"—ones not properly filled out—were issued, and the resulting confusion led to considerable litigation. It has been estimated that in North Carolina alone four hundred thousand acres were taken up improperly. The "blank patents" of North Carolina perhaps were not typical of all colonies, but in many colonies, notably in the South and in the back

country generally, there was confusion, squatting, overlapping land grants, and the like.

Primogeniture and entails were in effect by law in all the Southern colonies, thereby perpetuating the large estates. Quitrents, usually higher than in the Middle colonies, were also to be found in each of these provinces. As elsewhere, they were a constant source of annoyance and trouble.

Quitrents. Quitrents were relics of feudalism brought to the colonies. Originally a part of the old manorial system, they were a money substitute for produce or labor. By paying a fixed money rent, the payee was "quit" from every other annual feudal requirement. The first breakdown of this feudalistic hold-over was in New England. To be sure, the Council for New England did reserve a quitrent in its grants, including the first patent for Plymouth. When, however, the Massachusetts Bay Company transferred its legal residence to America, this system was doomed. The Massachusetts Body of Liberties in 1641 contained a clause forbidding all "feudal incidents." Even without specific laws, the free tenure of land in the Bay Colony worked against quitrents. George Fenwick said, "We must all here be independent and supreme lords of our own lands." This attitude also spilled over into nearby New Hampshire and Maine, thereby defeating the plans of John Mason and Sir Ferdinando Gorges to collect quitrents in those provinces. The Lords of Trade in England paid little attention to this New England opposition when they instructed Edmund Andros to provide for quitrents in all future land grants in the Dominion of New England. The governor's attempts to do so stirred up a veritable hornet's nest.

New England opposition played an important role in promoting antipathy to the practice in the Middle colonies. New York was close enough to feel the effects, and New Jersey was populated by many New Englanders, who carried their attitude with them. Pennsylvania protests also can be traced in part to the New England view. In the South the system was more in vogue, one reason being that the colonies there tried to reproduce English institutions more faithfully than did other regions of America. Yet, England herself did not use the plan, and even in the South it is doubtful whether there were accurate rent rolls.

Generally speaking, quitrents were more successful in proprietary than in royal colonies, but even in the proprietaries there was opposition from the beginning. The amount of quitrent could never be high, for it would retard the population growth the proprietors were seeking. Furthermore, landholders were always complaining about the fees and seeking relief through their colonial legislatures. And in America there was a natural tendency to try to escape any rent payments; as one settler in Virginia wrote, "Why should we pay rents on land when there is so much land?"

A certain degree of intercolonial pressure tended to keep quitrents at a uniform level. The annual payments usually ranged from two shillings to four shillings per hundred acres. There was less complaint when the rate remained stationary; any effort to increase it caused trouble. In some areas there were

special fees of a nominal nature, such as an Indian arrow, or a bushel of wheat, or a red rose. The owner of one large tract in New York was merely required to pay one beaverskin.

Some lands were wholly exempt from quitrents. New Jersey, Pennsylvania, and Carolina made no effort to collect from tracts reserved for public purposes. Moreover, frontier communities had their rents waived to attract more settlers. On the other hand, special quitrents were sometimes collected for particular projects, such as the building of towns, like St. Mary's in Maryland.

The collection of quitrents was basically the prerogative of the colonial governor or the proprietor, even though legislatures frequently interfered. In Maryland, for example, the proprietor was in direct control. Through a special land agent, a collector was named for each county. Collecting, however, was usually a difficult task, especially in royal colonies. Colonial treasurers and local sheriffs generally sided with tenants in case of any complaints. Legislatures were loath to pass measures allowing forfeiture of land or "distraints" of property for non-payment of quitrents. Judges were wont to favor landowners or tenants when such cases came before them. Also, there were many land frauds to complicate the situation. Governor Robert Dinwiddie of Virginia, for instance, complained that in his colony there were at least a million acres that had been settled without ever having been entered on the rent rolls. North Carolina faced the same problem, and in New York, too, there were vast unregistered tracts for which there was either nominal rent or none at all. And even when there were adequate rolls, the collectors were faced with many obstacles. Maryland, which supposedly had the most efficient system, could collect only about one third of the amount due. Pennsylvania proprietors found that between 1701 and 1776 only £63,000 out of £180,000 owed was paid, and in North Carolina the average annual collections were only £1,000, or about one fifth of what was owed. In addition to these problems, collectors were faced by tenants ready to use force, such as the antirent "riots" in three New York counties—Westchester, Dutchess, and Albany—in 1766.

The proprietor or landlord wanted these rents paid in specie, but its scarcity constantly posed a problem. Legislatures generally sided with the tenants' demands that some other medium be made acceptable. Thus, in North Carolina commodity money was used; in Virginia and Maryland, tobacco.

Quitrents were considered by the recipient to be revenue of the "overlord of the soil," without any strings attached. This was the accepted idea in Maryland. In Pennsylvania, on the other hand, a law of 1756 placed a tax on quitrents as a means of defraying the cost of military operations. Some colonies used part of the quitrent revenue to help pay the salary of the governor. Virginia allocated such income in 1693 to aid in the foundation of William and Mary College. That colony at other times spent it for the salaries of Anglican clerics, as well as to pay the commissioners who surveyed her boundaries. Other colonies supplemented the income from poll taxes and other revenues with quitrents to meet the ordinary expenses of government. These were by no means all the methods of spending quitrent revenue.

Problems of the Colonial Farmer. Despite the abundance of comparatively cheap land, the colonial farmer was faced with innumerable problems. One of the first was the necessity of clearing the land for agriculture, something he and his ancestors had not been called upon to do in the Old World. Fortunately, he had good teachers in the Indians, from whom he learned to kill trees by girdling or "scotching" them. He was also able to put to immediate use "patches" of land the Indians had cleared along the coast and waterways—the so-called "bottom lands." As the colonial population increased, however, more and more of the vast wilderness confronting the settlers had to be cleared or partially cleared before cultivation could begin.

Killing of trees was only the initial task. Stumps, roots, and rocks were among the other obstacles that had to be removed. To do so was even more difficult because of the primitive implements available. Plows were made almost entirely of wood, and have been described as "something like a shovel pulled through the earth." Indeed, the plow barely scratched the surface. Farm equipment—hoes, forks, harrows, sickles, scythes, and the like—were scarce and ineffective. Most likely they were inherited, being used from generation to generation until worn out completely. Bishop Spangenberg wrote as late as 1752 that he had not seen "one wagon or plough, nor any sign of one" during a journey of 140 miles through North Carolina. Draft animals were even scarcer, for the cost of importation was more than the early farmer could afford.

In the beginning, too much reliance was placed upon European crops, the seeds for which immigrants brought with them. This was only natural, for those were the crops with which they were acquainted. Wheat, peas, and the small cereals, however, were not suited to the soil and climate of the coastal areas where the first settlements were located. The case of Plymouth is a prime example.

Then, too, there was the problem of drainage. Jamestown, for example, was situated in a low, marshy area. Water stood deep in the fields and would not run off properly. Later, when settlements were made in the rolling country of the Piedmont, the farmer was faced with the problem of having the water run off too rapidly, causing soil erosion. Fortunately, the presence of nearby forests prevented this problem from becoming too serious.

The colonial farmer was the victim of the weather. He was beset by hailstorms, droughts, and floods. The abundance of land made him forget—if he ever knew—about crop rotation or the use of fertilizer. It was easier to "rotate the fields than the crops." He was the victim also of superstition, planting or harvesting according to "signs." His crops were constantly menaced by pests or "vermin," for turkeys, crows, wild pigeons, and the like were "the great destroyers of peas, wheat, and Indian corn." Eagles feasted on the farmer's poultry; bears killed swine and were "inordinately fond of potatoes"; foxes were detrimental scavengers. Legislature after legislature provided bounties for "scalps" of predatory animals.

The farmer also suffered from the law of supply and demand. He would concentrate on "money crops," and thereby become the victim of overproduc-



A Colonial farmer. (Courtesy of North Carolina State Department of Archives and History)



A colonial farmer's wife. (Courtesy of North Carolina State Department of Archives and History)

tion and falling prices. One result was "tobacco-cutting riots," another was legislation to limit production, but all failed in the long run.

Indians were also a frequent menace. The series of Indian raids and wars, especially in the seventeenth century, resulted in the destruction of many a farmer's home and his growing crops.

Contributions of Indians to American Agriculture. Although the Indian might at times be a menace, he did contribute greatly to American agriculture, for he has been called "the greatest plant breeder of all time." It is true that some tribes paid little attention to agriculture, but others developed excellent farmers, and, according to Lyman Carrier, about one half of the world's crops are contributions of the American Indian. Corn, tobacco, potatoes, several varieties of peas and beans, and pumpkins are among the crops the Indians cultivated.

The white settlers also took over the Indian method of girdling or "scotching" trees as a means of clearing land. The trees so killed did not have to be removed; nature eventually rotted them out, or blew them down. Moreover, the dead and leafless trees did not exhaust the fertility of the soil or prevent the sun from penetrating through to the growing plants.

The colonists also learned the Indian practice of cultivating potatoes, corn, tobacco, and many other crops in hills, instead of continuing the European method of sowing small cereals broadcast. In addition, they found out about

fertilizing those hills with fish and other sea food. Though some Europeans may have attempted to protect growing crops, the early settlers learned much more about this practice from the Indians.⁴ "Intertillage" was another Indian custom that was followed; under it, many crops could be cultivated in the same field. There were instances where corn, pumpkins, squashes, and cornfield beans (now called pole beans) were planted in the same field.

The colonists also learned how to prepare certain dishes, such as succotash, hominy, and corn pone. They found out how to keep and preserve fruits and berries with honey and other syrups, how to dry fruits and vegetables, and how to sun-cure meats.

More might have been learned if the Indians had had better farm equipment. They were largely limited, however, to sticks, shells, and bones. Also, in the absence of livestock, they had to depend on human power rather than animal power. Generally, it was the squaws who did the farming. These women usually engaged in cooperative work in the fields, in grinding grain, and the like.

Experimentation with European Crops. The colonial farmer tried many experiments in the New World. One reason might be the instructions he received before he left England to try to produce certain crops that would easily sell in the imperial market. Governors were also instructed to apply their best efforts to persuading the farmers within their province to grow commodities the mother country needed. Colonial legislatures enacted measures offering various types of inducements, such as bounties, to encourage interest in new crops, for example.

Therefore, in the early years in particular, many European crops were tried in America. Some of them failed, but others eventually became successful. Wheat, barley, rye, oats, buckwheat, rice, and hemp were among those that became profitable. It is true the wheat grain brought from Europe in the early days, as well as other small grains, did not grow well, probably because the seeds had sprouted during the course of the long sea voyage. Nor did wheat do particularly well in the Tidewater of the South—outside of Maryland—for neither the soil nor the climate was well suited to a plant that came from a small grain with a large stalk.

Virginians for a time became interested in "West Indian fruits"—lemons, pomegranates, almonds, and olives—until they realized that such plants would not grow in their province. Rice was experimented with in several areas, but only in South Carolina and to a limited degree in Georgia was there any success. Indigo was tried as far north as New England, yet only in South Carolina did it thrive. Several colonies made efforts to grow cotton for profit, but the difficulty of removing the seed from the fiber prevented the expected returns. Therefore, whatever cotton was raised was usually for ornamental purposes and was grown in gardens rather than in fields.

Southern colonies, notably Virginia and Georgia, tried growing "French grapes" with a view to making wine, and the London Company sent over some

⁴ John White's paintings of Indian villages, especially "Secota," illustrate how the Indians did this.

vine dressers to help in the experiment. However, nothing came of these ventures.

Agriculture in New England. Farming in New England had special characteristics. First of all, the soil was generally thin and rocky, with only a small amount of good arable land in proportion to the population. Furthermore, the coastal plain was narrow, and the growing season short. Nor did New England have a real staple crop that was in great demand elsewhere. The unsuitability of the area prevented the development of the plantation system. The demand of white workers for high wages, the diversity of crops, and the smallness of farms made it possible for the members of the family, perhaps with a "hired man" added once in a while, to do all the necessary work. Another important factor in the development of New England agriculture was the method of settlement, with the town as the unit and the farm land in outlying districts. Moreover, there was always competition from fishing, commerce, and industry. As has been said frequently, New England boys "went down to the sea," instead of remaining on the farm.

The earliest New England farmers tried to grow wheat, but poor soil, inadequate implements, and the prevalence of "blast," or black stem rust, prevented any real success. Consequently, the principal crop was corn, planted and harvested in Indian fashion. Maize became almost literally the New England staff of life, particularly in the first half of the seventeenth century. In fact, the most successful and therefore the most widely grown colonial crop was Indian corn, a plant undoubtedly indigenous to the Western Hemisphere. It was raised in all the colonies, perhaps the only crop that was. Corn would grow in almost any type of soil and in any kind of climate. It was also a very hardy plant. Land did not have to be completely cleared or even plowed to produce this crop, in contrast to wheat and other cereals. Its yield per acre was much larger than that of wheat, though smaller than that of potatoes. The growing and maturing season was shorter than that of cotton or tobacco. It was eaten by both man (hominy, pone, "johnny cake" for hasty pudding) and beast, and had the additional advantage that all parts of the plant could be used: the ear for food, the blades for fodder, the shucks for crude mattresses, the stalk for experimental papermaking, and various parts for the making of "corn liquor." In addition, it was easy to harvest, an important consideration in the production of any crop. Wheat, tobacco, and cotton must be harvested within a few days of maturity, but corn, protected by its heavy husk or "shuck," could remain in the fields for months without much damage. Despite the fact that it was the most valuable to the average colonial farmer from a monetary point of view,⁵ it was not usually considered a money or staple crop. Perhaps that was because it was not in great demand for export purposes; Europeans seldom purchased corn.

Yet, corn was in a sense a salvation to early Jamestown and perhaps to Plymouth. Thanks to friendly Indians, both new settlements learned how to plant

⁵ In fertile soil a farmer could obtain a yield worth about \$40 from seeds worth approximately \$10.

maize. Colonists girdled the trees to kill them, "worked" the cleared land with the primitive hoes they had, formed mounds of earth about three feet apart, and then planted perhaps five kernels in each mound. By constant weeding and cultivating, these early settlers obtained their first real crop in their new homes. Other New England colonials, sometimes doing their own clearing, sometimes using abandoned Indian lands, eventually learned that corn was the most lucrative crop that could be grown in their stony, thin soil, but only after unsuccessful experiences with seeds of other plants they had brought with them from Europe.

Gradually, the more enterprising farmers experimented with other grains: barley, an ingredient in the brewing industry; oats, for feeding livestock; and rye, which was ground into flour. A variety of vegetables was grown in increasing quantities, with special attention to beans, peas, pumpkins, squash, and turnips. In the eighteenth century there was much more diversification: asparagus, beets, cabbages, carrots, cauliflower, celery, lettuce, onions, parsnips, radishes, and spinach were to be found on many a farm. One present-day vegetable that was not grown to any extent in colonial New England was the white potato; superstition had it that continued eating of potatoes would bring death.

Few farms were without orchards, which were not, however, given proper care. Apple trees probably predominated, for the yield was needed for cider, or was dried for use in the winter or for feeding livestock. Apricots, cherries, crab apples, pears, plums, and quinces were other important orchard products. Berries of many types were to be found, with enormous yield. The most popular were blackberries, gooseberries, huckleberries, and strawberries. The housewife usually preserved these berries, using honey or maple sugar for sweetening.

No farm was complete without livestock. A yoke of oxen was needed for draft purposes. Horses were raised for travel and for export. Cows provided the essentials for butter and cheese, as well as meat and hides. Hogs could forage for themselves, and their meat, when salted, furnished the ingredients for the "pork barrel" that lasted throughout the winter months. Sheep furnished the wool needed for homespun garments. Livestock raising improved greatly in the eighteenth century, for the earlier deficiency of natural grasses was partially remedied with the planting of timothy—named after Timothy Hansen of New Hampshire—which provided the upland farms with a crop that improved the quality of the animals.

Many farmers enclosed their fields to prevent their livestock from running at large. Some fences were built of rails, split in halves, quarters, or eighths, and laid one above the other in zigzag fashion. Other fences were of line hedge. But the more ingenious "Yankee" farmers made "walls" of stone taken from the fields during clearing.

An over-all feature of New England agriculture was the fact that it was primarily of the subsistence type. Most of what the farmer grew, he and his family consumed. There was little surplus, except possibly in livestock, and that little was traded at a local market for other necessities of life. Practically no foodstuffs were exported from the area; indeed, New England had to import

some of her edibles. Another feature was the small size of the average farm in comparison with those of the other two colonial regions. There were no truly staple crops. Instead, there was great diversification, largely of the truck gardening variety. And agricultural pursuits meant hard work. Nevertheless, as one contemporary described the situation, "In New England, the little freeholders and farmers live in the midst of a plenty of all the necessities of life; they do not acquire wealth, but they have comforts in abundance."

Agriculture in the Middle Colonies. With the exception of some areas, such as the "pine barrens" of central New Jersey and the mountainous sections of Pennsylvania, the Middle colonies had fairly fertile soil, and a longer growing season and generally better climate than in New England. The limestone "sweet soil" of the Pennsylvania back country and the land along the Hudson River were especially good. The industrious Germans around Lancaster and York, taking advantage of the good soil, were probably the best farmers in colonial America.

The size of the average farm was larger than in New England. There were a few extremely large holdings, especially along the Hudson, but they were the exceptions. Labor on the farm came from several sources: the family itself, the hired free worker, Negro slaves on a minority of farms, particularly in New York, and in the eighteenth century an increasing number of indentured servants, especially in Pennsylvania.

General farming was predominant in the Middle colonies, but it was more intensive than in the other two sections. There was an even greater variety of crops grown than in New England. Wheat became the principal cash crop, thereby giving to the area the title of "colonial breadbasket." The production of this cereal, however, was not limited to the New York-Pennsylvania area. Wheat introduced from Europe was from the first one of the most important colonial staples, in great demand as an article of intercolonial and European trade.

Nevertheless, wheat was more difficult to grow than many other crops. First of all, it needed cleared land. The soil had to be plowed before the seeds were planted. In the absence of drills, the seed was sown by hand, always a wasteful method. The growing season was relatively long, and the stalks were subject to many pests, particularly rust and Hessian flies. Harvesting was also a problem. As there were no reapers or combines, the grain had to be cut with primitive sickles or scythes. Indeed, the colonial methods were about the same as in Biblical days. A wheat cradle came into use shortly before the Revolution. Separating the grain from the chaff, threshing, was done with a wooden flail throughout most of the colonial period. In the later years horses or oxen were used to trample out the grain. Generally, wheat was planted in the fall, as winter wheat was less subject to pests and disease. The yield was good, between twenty and forty bushels an acre.

Barley, oats, and rye were the most important of the other cereals grown in the Middle colonies. There was a better quality of hay produced than in New

England or the South. Vegetables of all descriptions were easily grown, and their yield was larger than in New England. Potatoes were grown in large quantities to provide an important part of the diet. Fruits were abundant, New Yorkers taking great pride in their peach trees. Melons were a specialty in the vicinity of New York City.

Unlike New England, the Middle colonies produced agricultural items for export. Wheat in particular was shipped not only to neighboring provinces, but to the West Indies as well. For example, the value of flour, biscuits, and wheat exported from New York and Pennsylvania in 1766 was £770,000, and that of beans, Indian corn, oats, peas, and the like was £52,000.

Livestock raising was just as important as general farming. With an abundance of hay and grain, the Middle colonies were well suited for animal husbandry. Horses were raised in large numbers and proved valuable in the trade with the West Indies. The annual average of exports of livestock, chiefly horses, from both New York and Pennsylvania in the years 1763-1766 was £37,000. Cattle, which "showed almost as diverse origin as their owners," furnished the basis for the prominent beef and dairy industries that flourished in that section. Hogs, sheep, and poultry were also to be found in large numbers. The value of exports of beef, pork, hams, tongues, butter, and cheese in 1766 was £81,000.

Southern Agriculture. Southern agriculture was unique in several ways. In the first place, it was largely "commercial," with staple crops grown principally for export. The proceeds from these sales were used to buy commodities not produced locally. The major staples were tobacco, rice, and indigo. In fact, such production was practically the only industry of the South—certainly it was the basic one. Secondly, the average holding was larger than elsewhere. There were many plantations of a thousand acres or more and although these were not typical, the Southern planter normally owned more acreage than the typical farmer of New England or the Middle colonies. A third major difference was the increasing dependence upon Negro slave labor, particularly after 1689.

Tobacco, as has been mentioned earlier, was the major money crop in Virginia from practically the beginning, and in Maryland after the early years. It became an increasingly important item in North Carolina husbandry, but little was grown in the remaining colonies. Tobacco constituted more than half of the value of exports from the mainland colonies. It produced great value from small bulk, particularly in the early years, when it sold for as much as forty shillings a pound in London and seldom for less than three shillings prior to 1630. Its production consistently increased, so that Virginia alone was growing as much as 28 million pounds annually by the close of the seventeenth century. Unfortunately, many planters suffered from overproduction and falling prices. Yet, the "weed" was definitely a money crop. In most of the Southern colonies it was used as money; taxes, ministers' salaries, and the like were paid with it.

The growing of tobacco was a tedious process. The seed had to be sown in beds, and the resulting plant set out in the fields. As the plant grew, it had to be wormed, primed, and suckered, in much the same fashion as today. The

"weed" was of the burley type—not "bright leaf"—and it was air-cured or sun-cured, a process taking from five to six weeks. After the tobacco was taken down, the leaves were cut off the stalks, assorted, and packed in hogsheads. The hogsheads, usually containing about a thousand pounds, were then hauled, or more frequently rolled, to the nearest landing and put on board for shipment, usually to England, because tobacco was one of the "enumerated articles" listed in the Navigation Act of 1660. As tobacco was primarily a hand crop, it was not planted in large fields. Planters might have huge estates, but the acreage devoted to tobacco in any one year was small—a total of five acres was considered a good-sized planting. The soil-exhausting nature of the "weed" made necessary large holdings and abundant and cheap labor. The bulkiness of tobacco and the absence of good roads caused tobacco planters to locate along waterways leading to the coast.

The rising plantation aristocracy came to dominate the political and social life of Virginia especially. The author of *American Husbandry*, published in London in 1775, wrote:

The tobacco planters live more like country gentlemen of fortune than any other settlers in America; all of them are spread about the country, their labour being mostly by slaves, who are left to overseers; and the masters live in a state of emulation with one another in buildings—furniture, wines, dress, diversions, etc. and this to a degree, that is rather amazing they should be able to go on with their plantations at all, than that they should not make additions to them.... The poverty of the planters here... is much talked of, and from thence there has arisen a notion that their husbandry is not profitable: this false idea prevails because of the general luxury, and extravagant way of living which obtains among them... for men without some rich article or product cannot afford, even with the assistance of credit, to live in such a manner... that will support such luxury, and pay eight per cent on their debts. What common culture in Europe will do this?

The debts to which he referred were owed to London merchants, debts resulting from the fact that the planters ordered more English goods than their tobacco shipments could pay for. It was estimated that by 1776 Southern planters owed nearly £3.4 million. They made every excuse to delay payment, as shown by a letter of a Quaker merchant in London to a Virginia planter in 1756:

Have yours of the 25th, 10th month, and continue to admire at the excuses thou makes.... As to remittances thou may think that out of the question, however for forms sake I enclose thy account current balance still due £74 6s. 5d.; to be out of temper with thee is not worth while... however, perhaps, an honest fit may take thee and if it should, pray remember thy old friend.

Rice, and later indigo, were to South Carolina what tobacco was to Virginia. Experiments were made with rice in several colonies. Governor William Berkeley tried it in Virginia around the middle of the seventeenth century, but with little success. Then the Carolina proprietors considered it for their province. The real story of rice in America began with the importation of a better type of seed from Madagascar in 1694. The region around Charleston became the

center because of its swampy land. Dikes had to be constructed so that the land could be flooded and drained as conditions warranted. Because white workers could not stand the hot sun, the muddy fields, and the malarial mosquitoes, Negro slavery was quickly introduced, and even among these workers the mortality was exceptionally high. It has been said that all of these factors required a larger capital investment than for any other colonial crop. And after the harvest, time and energy were required to separate the grain from the chaff by methods as primitive as for wheat. Then the golden-yellow grains had to be processed and polished, usually by hand, to obtain the white rice consumers demanded.

South Carolina became the center of rice culture, and "Carolina rice" was considered the best in the world. By 1754 more than one hundred thousand barrels were being exported annually from Charleston alone, and by 1770 the average had jumped to 125,000 annually. Georgia turned to rice even before the Oglethorpe experiments in wine manufacturing and silkmaking failed, but the colony lagged far behind South Carolina, producing only twenty-four thousand barrels for export by the time of the Revolution. Like tobacco in Virginia, rice became South Carolina's chief money crop, and the mother country saw the value of it when she placed rice on the enumerated list in 1705.⁶

Next to rice, indigo was the most important crop of South Carolina. Parliament tried to encourage its development in 1723 with a special bounty to growers, but no real progress was made until 1741-1743, when Eliza Lucas (who subsequently married Charles Pinckney) began experimenting with indigo seeds at Wappoo, the family plantation near Charleston, during her father's governorship at Antigua. Wappoo had just the right kind of sandy soil needed and this, combined with Miss Lucas's patience, led to the first successful production of indigo plants on the mainland.

Commercial production of indigo required as much care as rice did. The fields had to be carefully prepared before the plants were set out, and harvesting had to be accomplished with similar care to prevent the bluish tinge from being rubbed off the leaves. Next, the leaves were allowed to ferment in large vats, sometimes being boiled to speed the process. The resulting solution of water and blue dyestuff from the leaves was then drawn off, placed in other vats, and allowed to remain until the solid residue of indigo settled at the bottom. During the course of this procedure, an offensive odor permeated the vicinity, and hordes of flies were attracted by the piles of refuse. Finally, the indigo was dried, pressed, and otherwise made ready for exportation.

Parliament, realizing the importance of the Lucas experiments, established a bounty of 4 pence a pound on indigo in 1748. Thereafter, production rose rapidly in both South Carolina and Georgia. The exports from Charleston increased from nearly 140,000 pounds in 1747-1748 to a high of approximately 1,125,000 pounds in 1774-1775; the exports from Savannah rose from five

⁶ In 1730, however, England permitted South Carolina rice to be sent directly to European countries south of Cape Finisterre, and in 1735 the same permission was extended to Georgia.

thousand pounds in 1755-1756 to at least sixteen thousand pounds in 1773. Prior to the Revolution the British government paid out £186,000 in bounties for indigo.

The large-scale production of rice and indigo led to the development of a Tidewater aristocracy in South Carolina. North Carolina (which produced some rice in the Wilmington-Brunswick area) and Georgia had greater diversification. As Governor James Wright of Georgia wrote in 1766:

Our whole time and strength . . . is applied in planting rice, corn, peas, and a small quantity of wheat and rye, and in making pitch, tar, and turpentine, and in making shingles and staves, and sawing lumber and scantling, and boards of every kind, and in raising stocks of cattle and hogs.

Yet, of necessity, the South did diversify, more than is normally realized. Back country farmers grew a variety of crops, in much the same fashion as those in New England and the Middle colonies. In eastern sections, where conditions were not conducive to wheat, oats, or rye culture, corn became the chief food crop. South Carolina successfully grew figs, oranges, and pomegranates. Everywhere in the South pride was taken in vegetable gardens and orchards, both of which were described by travelers as among the best in the world. Nevertheless, the South did have to import some foodstuffs from its neighbors.

Livestock flourished in the South. Cattle and hogs, in particular, multiplied rapidly in the warm climate, where pasturage was lush. It was not unusual for planters and farmers to own hundreds of cattle and pigs. These animals were often allowed to run wild; damage was not the owner's responsibility. Open season was frequently declared on roaming stock, which were then hunted as game. During the eighteenth century beef and pork were exported, mainly to the West Indies.

Animal Husbandry. As important to colonial farmers as the variety of specialized crops were the livestock raised. It is true that less attention was given to quality than to quantity, but livestock were essential to the livelihood of the average farmer. In 1611 the first cattle were imported into Jamestown, and although the *Mayflower* carried none, within four years after the Pilgrims landed, three cows from Devon were sent to Plymouth. From these early beginnings the number of cattle increased rapidly. The imports came chiefly from England, Holland, Denmark, and Sweden, but natural increase in America was largely responsible for the greater numbers. As cattle were usually allowed to roam at will in all the colonies in the seventeenth century and in the back country areas during the eighteenth, the resulting interbreeding prevented the original strains from lasting long. Thus, the cattle during the colonial period were usually described by size and color, not by origin.

Mortality in transportation across the Atlantic was heavy, sometimes as much as 33 per cent, but in America cattle multiplied rapidly, despite the absence of good winter forage, the common-field system of pasturage in New England, and

the "open range" practice in the back country. Unfortunately, mixed breeding produced a type of "scrub" cattle, described as having a "lean and hungry look." They were turned loose to find their own pasturage; this was not so bad in summer, but during the winter season, even in the South, they suffered to such an extent from scarcity of fodder that in the spring many of them were "so reduced by hunger and cold that they hardly recovered before fall." It has been estimated that fifty thousand head died during the winter of 1673 in Virginia, and twenty-five thousand perished in Maryland during the very cold spell of 1694-1695. Nonetheless, by the opening years of the eighteenth century so many cattle were running wild in the woods that it became an annual practice to hold roundups so that the owners could brand their stock.

After 1750 conditions improved throughout colonial America. More attention was given to improved breeding, aided in part by the importation of a better type of cattle. The greatest advance was made in Rhode Island, where the Narragansett planters prided themselves on the care they gave their large herds, in New York, and in Pennsylvania.

With improved stock, better milk was obtained, and the quality of butter and cheese improved. The Middle colonies were the center of this dairying industry, whose products became valuable export items. Better hides and better beef also resulted, which aided the tanning industry and the export trade, aside from their contribution to an improved local diet.

By the time of the Revolution it was not unusual to see herds numbering in the thousands or to find average farms with two hundred head of cattle. A typical farm, however, probably did not have more than twenty cows.

Oxen and Horses. In the early settlements the ox was the preferred beast of burden. Despite its slowness, the great strength and endurance of the ox more than compensated for its ponderous gait. Oxen were in great demand as draft animals, for they could drag plows more easily than horses over rocky, stump-filled land and pull cumbersome carts over rough roads. Few farmers could get along without a yoke of oxen. Around 1700 a better breed was introduced from Denmark, but few of these yellow oxen were to be found outside of the Middle colonies.

Horses were imported from Europe very early. They were essential for travel and hunting in particular. New England was the first section to engage in extensive breeding, and by the middle of the seventeenth century was exporting to other colonies. In the next century, she was also sending many horses to the West Indies, where they were used principally to turn machinery in the sugar mills. As time passed, some Arabian horses were brought in from nearby Spanish colonies; by interbreeding, a better strain was produced.

The two most distinctive breeds developed in colonial America were the Narragansett pacer, excellent as a saddle horse because of its fast, easy gait but not of value for draft purposes, and the Conestoga horse, developed by Pennsylvania Germans by the middle of the eighteenth century and noted for its large

size, great strength, and almost unlimited endurance. Attention was also given to breeding for racing, a very popular form of colonial diversion.

With the improvement and extension of roads in the colonies, the demand for horses increased. Also, horses from New England and the Middle colonies were shipped to the West Indies in exchange for sugar, molasses, and specie.

Sheep. Sheep were imported into the colonies by early English, Dutch, and Swedish colonists. They furnished not only meat but, what was more important, wool for clothing. Because of primitive conditions and lack of supervision, many sheep fell victims to predatory wolves and other wild animals, to disease, and to inadequate forage. Despite these obstacles, their number increased. By the opening of the eighteenth century New England farmers had sufficient flocks, averaging about twenty, to provide enough wool for local use. The areas near Boston and Narragansett Bay were the major centers of sheep raising. The other colonial sections lagged behind, with the possible exception of Hempstead Heath on Long Island, which competed with New England in the commercial market.

Little attention was paid during the colonial period to improving the breeds. The average sheep had a small fleece that furnished coarse and curly wool. Yet, such native wool was excellent for the sturdy homespun garments the colonists needed in a frontier community.

Hogs. Hogs were imported from Europe by the earliest colonists to provide meat, and they adapted themselves more readily to frontier conditions than did any of the other domesticated animals. In all the colonies they ran wild in the woods, growing fat on "mast"—acorns, beechnuts, and chestnuts—until five or six weeks before "killing time," when they were rounded up and penned. Then their diet was corn, which hardened the meat. Before the seventeenth century was over, the colonies had a surplus to export, shipping it principally to the West Indies.

Farmers in all of the colonies raised hogs, usually for local consumption. The first systematic swine production occurred in the Connecticut River Valley, followed shortly thereafter by the farmers of the Middle colonies, where the superior type of Dutch pig was bred with the coarser English swine to produce a strain with the finer qualities of each. Perhaps the "Pennsylvania Dutch" placed more emphasis on careful hog breeding and care than did their colonial neighbors. In the South the warm climate and abundant food contributed to the vast increase in the number of hogs, chiefly of the "razorback" or "wind-splitter" variety. The North Carolinian, in particular, was a "hog and hominy" farmer, who as early as 1750 was driving pigs to market as far away as Philadelphia. During the colonial era Virginia hams and bacon became as much sought after as the famed Westphalia hams.

Agricultural Improvements. Prior to 1750 there were not many improvements in agricultural techniques in colonial America. In the areas settled by

Germans and Dutch the land was cleared more thoroughly than elsewhere, and more attention was paid to careful cultivation. The Pennsylvania Germans used manure, lime, and gypsum for fertilizers.

Possibly influenced by the botanical garden that John Bartram established in Philadelphia in the 1730's, many experiments were conducted. As a result, the more progressive farmers were draining or irrigating meadows. Crop rotation was practiced, with red clover planted to give the soil more fertility. Fields were covered more frequently with mud, lime, ashes, and manure.

George Washington and Landon Carter of Virginia, realizing the detrimental features of tobacco culture, paid more attention to the growing of wheat, to improved plowing, to crop rotation, and to the use of fertilizers. Unfortunately, the death of Jared Eliot in 1763 robbed New England of its most prominent advocate of agricultural science, and there was no one to take his place until after the Revolution. Consequently, that section did not share in the few advances taking place elsewhere. John Adams, following his trip to Philadelphia, during the course of which he saw the progress being made in Pennsylvania, wrote to his wife, "I am ashamed of our farmers. They are a lazy, ignorant set." Despite the failure to make much scientific progress prior to the Revolution, colonial agriculture did provide the settlers with practically all their articles of food, and furnished a livelihood for approximately 90 per cent of the inhabitants.

INDUSTRIAL LIFE IN THE COLONIES

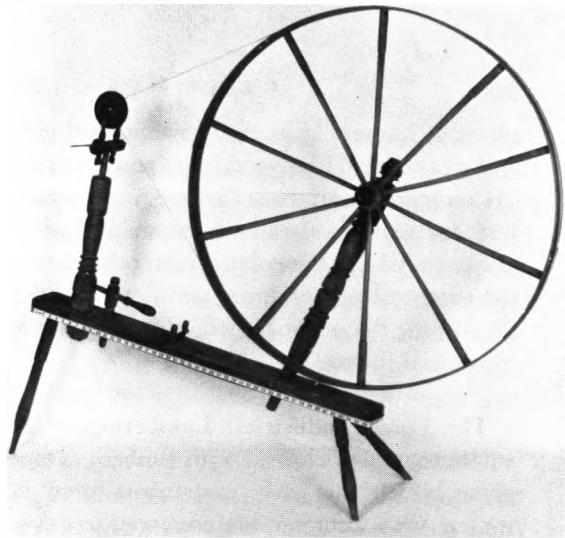
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Industrial life in colonial America was slow to develop. This was only natural in a wilderness or frontier community where the prime objective was to obtain a livelihood; farming was the easiest method—and the most essential. Moreover, most settlers came from rural communities in the Old World, and agriculture was the pursuit they knew best. A goodly percentage of the remainder were unskilled workers. The immigrants brought with them the feeling that agriculture and commerce were much more "dignified" than manufacturing, which to them was associated with the use of "pauper labor" back home. Only a comparative handful had mastered the "art and mystery" of a particular craft, and even those few found farming, or fishing, or the fur trade far more lucrative than continuing their original vocation. Competition would come from the farmer himself, who was a jack-of-all-trades—carpenter, mechanic, primitive engineer, tanner, hunter, and trapper, to mention only the most important avocations. And his wife was just as versatile around the house or the farm, making soap, candles, butter, clothing, and the like.

Deterrents to Manufacturing. A prime deterrent was the absence of spare cash with which the farmer could buy "manufactured" articles. There was not sufficient fluid capital in the early colonies. There were no banks or lending agencies, no adequate medium of exchange, and no effective type of commercial organization. Manufacturing needs market outlets, and the poor transportation facilities, particularly by land, limited such outlets; most goods were shipped by water, and even then freight rates were high. The consuming public was scattered, thereby preventing compact markets of distribution. It was next to impossible to develop manufacturing near the source of labor supply, or needed waterpower, or raw materials. Machinery was scarce and expensive, widespread advertising was difficult, and sales managers and organizations were unknown.

The mother country frowned on all but "primary" manufactures, that is, the production of such items as naval stores, pig iron, and flour. "Secondary" manufacturing was the function of the mother country under mercantilism, which helps to account for such measures as the Woolens Act, the Hat Act, and the

A wool spinning wheel. (Courtesy of The New-York Historical Society, New York City)



Iron Act. If the colonies turned more and more to such manufacture, mercantilism would break down. How could the empire be self-sufficient unless the colonies provided the raw materials and England concentrated on turning them into finished products?

Despite these numerous obstacles, colonial industry did develop. One factor was the great need in a new country for many articles of everyday use, such as furniture, wooden plates, spinning wheels, churns, and buckets, and for the farm, hoes and plows, wagons and carts. A second incentive was the desire to promote a degree of self-sufficiency. In order to buy necessities from the mother country and from other provinces, the colonists must have something to exchange. Hence, from the very beginning they produced lumber in a variety of forms, such as clapboards and barrel staves, tanned skins, potash, tar and turpentine, and, somewhat later, pig iron and indigo. These items were seldom exported in their original state, but had undergone a "primary" manufacturing.

Household Manufacturing. Manufacturing took two forms in colonial America. The first, and originally the more widespread, was the household or domestic type. This was done in the home, with the various members of the family as the artisans, and the product was used by the family. Practically all the foodstuffs were made at home—bread, butter, other dairy products—and cattle and hogs were butchered. Surplus grains and fruits were made into beer, wine, whiskey, and other "intoxicating beverages" by a citizenry who had no use for prohibition and who considered drinking beneficial, healthful, and, of course, sociable. As clothmaking was another household necessity, cards, spinning wheels, and looms were used to turn the flax, wool, and sometimes cotton, into cloth. Tanning of hides, particularly of cattle, was essential to provide the family with shoes, breeches, and other durable articles of clothing, and leather was also needed for harness, hinges, and buckles. Deerskins provided the basic materials for caps, moccasins, and leggings. Furniture might also be homemade, along with household utensils and farm implements. Candle molding was another

phase of household manufacturing, and every home was both "a soap factory and a laundry." Firewood must be cut for heating and cooking.

Commercialized manufactures were the second type, slower in getting under way for reasons already mentioned. These provided the products to sell or exchange within the colony, with other colonies, or for foreign trade. Naturally, the extent of manufacture was determined by the natural resources available: the forests; the sea or the fisheries; wild life or game—mainly furs and skins; the mines and the soil.

The Forest Industries: Lumbering. It has been said that "practically the whole coast was clothed with timber . . . especially dense near the watercourses along which the early settlements were made." These forests supplied the settlers with innumerable commodities, especially a variety of building materials, woods for household furnishings, potash, firewood or fuel, and ranges for cattle. The mother country, too, was happy about these easily available forests, for in Western Europe, including England herself, destruction of woodlands had been going on for centuries. In her quest for the self-sufficiency of mercantilism, she was looking for an imperial source that would release her from dependency on the Baltic countries. The American forests formed the foundation for four major colonial industries: lumber products, shipbuilding and ship timber, naval stores, and potash and pearl ash.

Even though specific figures are almost impossible to obtain, the lumber industry was probably the leading colonial one. Certainly, it was important in every colony. The demand for various kinds of wood was large and widespread. Oak and pine (considered the "most useful tree in the woods") provided the materials for boards, shingles, clapboards, and barrel staves. Walnut, sweet gum, maple, and sycamore trees furnished the wood for tables, chairs, desks, wainscoting, and gunstocks. Cedar was used for caskets, door and window sills, and, along with cypress, for chests, cupboards, and drawers. Maple was sought for spinning wheels and flax wheels. The barrelmaking industry was exceptionally important as the eighteenth century progressed, for casks, barrels, and hogsheads were the containers for rum, tobacco, naval stores, and many other items. It has been estimated that the cooperage industry was turning out between three and four hundred thousand different-sized barrels each year. When one considers that between 1763 and 1766 Virginia alone exported nearly one hundred thousand hogsheads of tobacco and seven thousand of flax, and that North Carolina in 1753 shipped about eighty-five thousand barrels of naval stores, it can be seen how important this industry was.

From the very beginning, the lumber industry was a factor in the colonial economy. Among the first exports from Jamestown and Plymouth were clapboards and staves. A closely allied industry was sawmilling. Probably the first mill was built in New Hampshire in 1635, and the first in Virginia certainly by 1652. The early sawmills used water or wind as power. They were run by farmers on a toll basis as more or less of a sideline. Millers were encouraged by special grants of land, by exemption from local taxes, and sometimes by exemption

from military duty. At first, most of the boards and other lumber products turned out by these mills were for local consumption, but as the industry expanded, the demand also grew substantially. As a result, near the end of the colonial period New England was exporting lumber products to the value of £135,000 annually. England contributed to this industry by ending the duty on American lumber in 1722. Then, because of continued depletion of European sources and the need for various types of wood in England itself, Parliament placed lumber on the enumerated list. Despite these measures, huge quantities of lumber products were exported to the West Indies and to both Spain and Portugal.

The Forest Industries: Shipbuilding. Though large profits could be acquired from exportation of shingles, clapboards, and staves, they were as nothing compared to what was obtained from the shipbuilding industry. Indeed, even before the early colonies had a permanent basis, enterprising settlers had launched ships. For example, in 1614 Adriaen Block constructed the *Onrest* on Manhattan Island, and in the same year Captain John Smith reported the building of seven small boats in the New England area. The year after Massachusetts Bay was founded, the *Blessing of the Bay* was launched (1631).

This was but the start of one of the most important colonial contributions to mercantilism. England's increasing merchant marine, commerce, and navy brought expanding demands for ships, ship timbers, masts, yardarms, bowsprits, and the like. The Navigation Acts of 1651, 1660, and 1663, in particular, were great stimuli to the whole industry. Particularly needed were tall, stately pines as masts for the royal navy. Woodsmen, in the name of the crown, roamed the forests marking the trees best fitted with a "broad arrow." Anyone who cut such trees without permission was subject to a heavy fine, as much as £100 for each offense. Special ships were sent to America to transport the masts to the mother country.

With forests so close to the water's edge in America, ships could be built more cheaply in the colonies than in England, even in the face of labor scarcity and higher wages. It has been estimated that a colonial-built ship cost between one half and two thirds as much as English products. Therefore, England was always in the market. For the years 1763-1766 the following figures are available:

SALES BY	NUMBER OF SHIPS	VALUE
New England	70	£49,000
New York	20	14,000
Pennsylvania	25	17,500
Virginia and Maryland	30	30,000

There was an even larger market in the colonies themselves. The fisheries constantly demanded ships, as did the growing intercolonial commerce. Most of them were built in the New England and Middle colonies, but all the others, including the West Indies, did some building. As early as 1676 Edward Randolph reported that Massachusetts alone had more than seven hundred ships,

ranging in size from six to two hundred fifty tons, most of them constructed at Boston, Charleston, and Salem. In the summer months of 1714 the customs house records showed that one hundred three ships sailed from Boston. Of these, sixty-one were owned by Bostonians, ten belonged to other mainland colonists, and four to West Indians. Only two of these ships had not been built in America. In Maryland between 1698 and 1701 there is a record of eighty locally owned ships. For the empire as a whole, near the end of the colonial period at least one third of all the tonnage flying the English flag was of American construction. And in 1775 New England owned two thousand ships, exclusive of fishing craft.

Through these activities employment was given to hundreds of persons throughout the colonies, for in addition to those who built the ships, there were many more who found jobs in closely related industries, such as lumber, naval stores, ropemaking, and chandleries.

The Forest Industries: Naval Stores. England's growing navy and merchant marine would not have been possible without naval stores: pitch, tar, resin, hemp, and turpentine. During the early Anglo-French wars England found herself at the mercy of the Swedish Tar Company, which enjoyed a virtual monopoly of the market. Her leaders realized the weakness of this position and persuaded Parliament in 1705 not only to place colonial naval stores on the enumerated list, but to encourage their manufacture with bounties. Consequently, £4 a ton was offered for pitch and tar, £3 a ton for resin and turpentine, £6 a ton for hemp, and £1 for masts, yardarms, and bowsprits.¹ Bounty payments were continued without change until 1774, with but one exception, that hemp bounties lapsed between 1741 and 1764. A total of £1,438,702 was paid out during the lifetime of these bounty measures. An act of 1729 stipulated that the cutting of white pine was limited to those on private property, and even then there were restrictions: pine trees with a diameter of two feet or more could not be cut unless the land had been acquired prior to October 1692.

In response to the demand and the bounties, the naval stores industry grew by leaps and bounds. Farmers quickly discovered that the industry complemented their own work. When the weather prevented regular chores, they could work in the "pine woods," especially in the South (for the pines of the Northern colonies were not as good as the "long-leaf"). Moreover, such work helped to clear more land for farming. Because the various products were shipped in barrels, the cooperage industry also benefited.

Tarmaking did not need skilled workers. The knots of pitchpine were roasted or "burned" in kilns made of sod, and the hot tar drained off into barrels. By distilling the tar, turpentine could be made, and it was worth about 50 per cent more. The residue from the distillation was pitch, which brought a still

¹ The policy of bounty payments continued without modification until 1725, when it was allowed to lapse except for hemp, on which the original bounty was kept for another sixteen years. In 1729, however, the error was realized, and £1 a ton was thereafter paid on pitch, £1 10s. for turpentine, £2 4s. on tar, and £1 for masts.

better price than turpentine. The South always led in this industry, with North Carolina first, South Carolina second, and Virginia third. Abortive efforts were made to centralize the industry in New England, but nothing came of the venture; the different type of pine, the short growing season, and other interests of the section were not encouraging. Similar failure occurred in New York a little later; Governor Robert Hunter encouraged German Palatines to settle there about 1710, in order to produce naval stores, but with little or no success.

It has been estimated that by 1770 eighty-two thousand barrels of tar, nine thousand of pitch, and seventeen thousand of turpentine, valued at £175,000, were being exported. From North Carolina alone the annual average was about £50,000, though it rose to over £100,000 in the 1770's. The peak of shipments, contrary to general opinion, was in 1775-1776. Thereafter, because of the Prohibitory Act and the war, almost none was exported.

The Forest Industries: Potash. Potash was an important commodity in the colonies for soapmaking, glassmaking, bleaching, and to a lesser extent for fertilizers. It was also in great demand in England for the wool industry. Ash, birch, oak, and other hardwood trees were burned to ashes, which were then boiled in large kettles or vats. When the water evaporated, there was left a residue of "thick brownish salt" called "pott ashe." Additional refining by burning out the carbon of potash resulted in a purer pearl ash. Although potash was produced in all the colonies (one of the early shipments from Jamestown included some), it was primarily a Northern article because of the abundance of hardwood trees. Potash was easier to transport overland than lumber, and the profits were good. In addition, the farmer who made potash was clearing his land at the same time.

England finally placed both types of ash on the enumerated list in 1764. Bounties and premiums were given for their production in several colonies. New England and New York were the leading producers near the end of the colonial period. Between 1763 and 1766 the annual average exportation from New England was fourteen thousand barrels, worth £35,000; from New York, seven thousand barrels, valued at £14,000.

The Mining Industry. The early settlers in English America devoted considerable time to seeking gold, silver, and other precious metals. None was found, and Jamestown suffered greatly because of this diversion from agriculture.

On the other hand, iron ore, especially of the bog variety, was found in virtually all the colonies. The first attempt to establish a forge was in Virginia about 1620, but before it went into production it was destroyed in the Indian massacre of 1622. To John Winthrop, Jr., therefore, goes the credit for establishing the first permanent furnace, at Lynn, Massachusetts (1643). He had the aid of skilled artisans specially brought to Massachusetts for the purpose, and of English capital. This smelter was capable of producing about eight tons of pig iron a week. The widespread demand for iron, used to manufacture crude

tools, farm implements, nails, pots, pans, skillets, and the like, led to a rapid broadening of the industry. Both Connecticut and Rhode Island built furnaces by 1675, so that New England maintained her early lead, but by 1700 New Jersey was turning out large quantities, and in 1715 the Principio Company had large bloomeries in Maryland and Virginia. From the latter date until the Revolution there was a phenomenal expansion of the iron industry. Furnaces, forges, and bloomeries were erected in almost every colony, with the highest concentration in southeastern Pennsylvania. By 1775 the continental colonies were producing about one seventh of the world's supply of iron, and their production of pig and bar iron exceeded that of the mother country. Toward the close of the colonial era perhaps the best-trained ironmaster was Peter Hasenclever, from Prussia, who did remarkable work in New York and neighboring New Jersey. Other prominent leaders were Alexander Spotswood of Virginia, the Carrolls and Daniel Dulany of Maryland, and "Baron" Heinrich Wilhelm Stiegel of Pennsylvania.

Bog iron, the type most used in early days, was obtained by scraping from marshes. As the eighteenth century progressed, however, more and more iron was found in rock ores. The easiest method of making pig iron was in the bloomery, which was little more than an oversized blacksmith's forge, using charcoal. In this forge or furnace (which sometimes gave the name to the surrounding town, such as Valley Forge), the ore was brought to a semifluid state called a bloom. The bloom was then hammered on an anvil until most of the slag was removed, and wrought iron was the result. The later smeltery was larger than a bloomery and had a hearth, stack, and bellows. The hearth and stack were constructed of fire-resistant stone or fire clay, with the flux being furnished by limestone or oyster shells. The bars of pig iron might then be sent to slitting mills, where, at white heat, they were rolled into small rods, from which the local blacksmith or farmer could more easily fashion nails and other "home" necessities.

The Southern colonies specialized in raw iron, the Northern in manufactured products, such as the Franklin stove. England worried about the growth of this industry, and in 1750 Parliament passed the Iron Act, limiting the sale of iron products to the colony in which they were made. But the colonists disregarded the restrictive provisions of this law, and exportation of iron, valued at £20 a ton, continued to increase. In 1730 only one thousand one hundred thirty tons were shipped from the colonies; in 1770, seventy-five hundred tons.

Other mineral industries were not developed to an appreciable extent. Copper, worth £40 a ton, was mined chiefly in Connecticut, particularly at Simsbury, in New York, and in New Jersey. Perhaps the most productive mine was the one at present Arlington, New Jersey, discovered by Arent Schuyler in 1714. Some lead was found in Virginia, and enterprising traders obtained more from Indians in the West. Yet, most of the lead used until after the Revolution had to be imported. Coal was available, but very little was mined. William Byrd II of Virginia, it is true, hoped to promote this industry as early as 1704, when he purchased about three hundred acres of coal land, but he soon learned

that colonists preferred the cheaper and more easily available wood for cooking and heating purposes. A little lime was procured from limestone and oyster shells, and saltpeter, an essential in the manufacture of gunpowder, was discovered in some mountain caves, but not much was done to develop it as an industry.

The Textile Industry. Almost from the beginning of settlement, the average colonial home was the scene of textilemaking. Virtually every family had its spinning wheel and other crude equipment for manufacturing cloth. The cost of transportation of materials from England, the absence of "cash" in America, and the spare time on the farm in winter all contributed to the growth of this industry. The Puritan Revolution in England cut down immigration to the New World, especially to New England, and with it the apparel that newcomers normally brought with them.

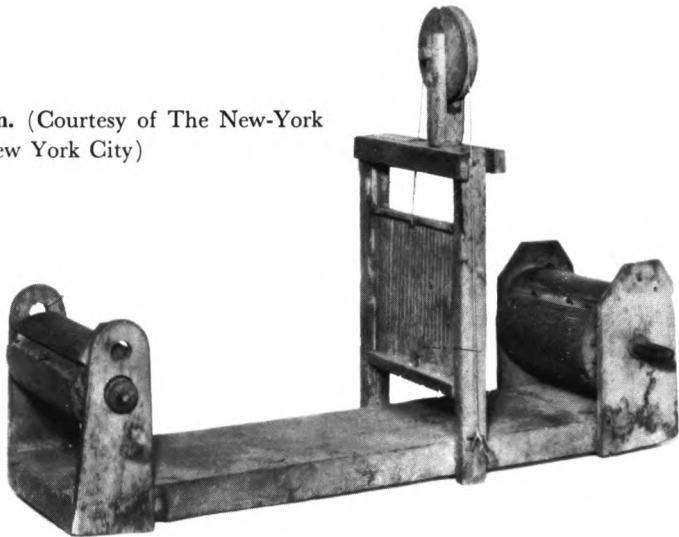
Therefore, both Massachusetts and Connecticut passed laws quite early to encourage local textilemaking, with emphasis upon linens, woolens, and to a lesser degree, cottons. Several types of bounties were the inducement. Special training was also provided in the art of spinning. In 1648 the Bay Colony allowed sheep to graze on the several village commons, and at the same time attempted to preserve these livestock by granting bounties to persons who killed preying wolves. Another effort to aid the manufacture of woolens was a prohibition on exportation of sheep and the slaughter of baby lambs. Massachusetts likewise required local selectmen, after 1656, to find one spinner for each family in town, who was to work thirty weeks each year and make three pounds of yarn each week, the materials for which must be provided by the family. If the spinner did not meet his weekly quota, he was fined twelve pence for each pound he failed to produce.

Attempts were also made in New England to manufacture textiles on a larger scale. The movement began with the establishment of the first fulling mill, opened in Rowley, Massachusetts, in 1643 by a group of weavers from Yorkshire, England. Soon, other mills appeared in various parts of that colony.

On the other hand, Southern planters in the seventeenth century preferred to import their cloth and clothing from the mother country in exchange for tobacco. When the price of the "weed" declined, however, or there was a shortage, they of necessity had to engage in spinning and weaving.

The homemade goods were fashioned with foot-operated spinning wheels, hand cards, looms, and primitive shuttles. The most common fabrics were linsey-woolsey, a strong cloth with a flax warp and a wool woof; serge of twilled wool; kersey of coarse, ribbed wool; and druggets of wool, sometimes mixed with other fabrics. These goods were all much coarser and longer-wearing than modern fabrics, which was only natural in a new country where conquering the wilderness was a chief consideration. Wool and linen were used more than cotton, in part because cotton was not grown to an appreciable extent, and in part because of opposition from English wool manufacturers, who did not relish additional competition.

A colonial hand loom. (Courtesy of The New-York Historical Society, New York City)



Despite various laws, bounties, and other encouragements, the textile industry, even in New England, did not become large in the seventeenth century. What goods were produced were primarily for domestic use. One reason for this was the restrictive clauses of the Woolens Act of 1699, which, though aimed primarily at the competing trade of North Ireland, yet prohibited intercolonial trade in raw wool and required that woolen yarn and cloth not be shipped outside the colony of its origin. Although the woolen industry was not very important in the colonies at the time, British leaders feared that it would become a serious competitor. Their worries were justified, for the colonists ignored the legal restrictions, but the Parliamentary statute probably checked for a time the growing tendency of colonial governments to encourage the manufacture of woolens.

The eighteenth century, however, witnessed a remarkable growth of the textile industry. By 1708, for example, 75 per cent of the woolen and linen goods used in New York were locally made. Governor Hunter asserted that "Workers" would "go naked" rather than purchase imported cloth that cost twice as much as in England. This statement indicates that transportation charges were high, for it cost 20 per cent more to weave linens in America than in England, and 50 per cent more to produce woolens.

Practically every colony did something to encourage and stimulate the industry. Massachusetts in 1737 appropriated £300 for a spinning school, and in the middle of the century levied a special tax on "pleasure vehicles" to keep it in operation; Rhode Island raised £3,000 for the erection of a cloth mill; Pennsylvania's Frame of Government stipulated that children over twelve years of age must learn a useful trade; Maryland paid a bounty of a pound of tobacco for each pound of hemp grown in the colony; and several other colonies also paid varying amounts for the production of flax and wool or the manufacture of duck, which was in great demand for sails.

With the exception of the South, every colony produced more textiles as the years passed, and even in parts of the Southern back country inhabited by Ger-

mans and Scotch-Irish there was considerable advancement. New Hampshire in the 1760's was turning out twenty-five hundred pounds of linen annually from home-grown flax; about the same time New Jersey was making £10,000 worth of textiles; and one community (Germantown) alone in Pennsylvania was manufacturing sixty thousand dozen pairs of stockings in a year. In the spinning house at Mount Vernon, George Washington's home in Virginia, there were made several types of cotton goods—dimities, bed ticking, counterpanes, and striped goods; of woolen articles—kerseys, shalloons, broadcloths, and herring-bones; of linen items—plain linens and huckabacks; and of fabrics that were mixtures of flax, wool, and cotton.

Even with the great increase in textile manufacturing in the eighteenth century, the products were still consumed in the home. It was only infrequently that any were for sale in colonial stores, and even less frequently were colonial textiles exported. Nevertheless, the industry afforded employment for many a colonist, either full-time or during otherwise idle moments.

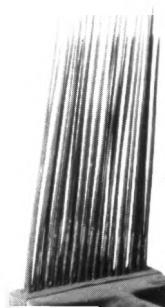
The Milling Industry: Flour and Meal. The production of wheat flour became an increasingly important industry in most of the colonies, and the manufacture of corn meal was widespread, although on a lesser scale.

Scattered throughout all the colonies were grist mills, frequently called "custom mills," which ground grain for the community in return for a small fee, usually a percentage of the flour or meal. Most of these mills were operated by waterpower, although a goodly number made use of windmills, especially in the Tidewater. The second type of grist mill was the much larger and more intricate "merchant mill," which manufactured flour and meal not only for sale in the local market, but also for export. The most numerous and largest of these "merchant mills" were located in the Middle colonies, chiefly near New York City and Philadelphia. There were also a few in the vicinity of Petersburg, Virginia, that could grind as many as seventy-five thousand bushels of wheat into flour annually.²

In order to encourage this necessary milling industry, provincial and local

² Landon Carter operated a merchant mill, buying as much as ten thousand bushels of wheat at a time in addition to what he raised on his own acres. George Washington also had a mill grinding grain, though on a much smaller scale. Both men likewise had "bake houses" that made ship biscuits for commercial sale.

A colonial wool comb. (Courtesy of The New-York Historical Society, New York City)



governments granted many concessions to mill owners, such as land and exemption from taxes and militia duty. Some of the larger millers, unfortunately for the consumers, often engaged in such speculative activities as attempting to corner the market and holding flour in their warehouses for higher prices.

The Fur Trade. Furs were in great demand both in Europe and America. In Europe, where fur-bearing animals were rapidly approaching extinction, furs were desired by kings and nobles, university officials, and wealthy merchants. In America furs and skins were needed for making hats, garments, leather, and other items. The vast forests of the New World abounded with bear, beaver, otter, deer, foxes, and other animals. The fur industry had other advantages as well. Furs and skins could be obtained in trade with Indians for articles the colonists could make cheaply, and thus the profits were enormous. A musket, for example, could be exchanged for twenty beaver skins worth perhaps \$500; Captain John Smith reported trading a kettle for furs valued at 250 shillings; and rum, ammunition, hoes, thread, cloth, and combs were other items Indians were more than willing to buy for many times their worth in furs. Another advantage was that furs could be transported easily and cheaply. English colonial profits would have been much greater had it not been for competition from French and Spaniards.

New England engaged in fur trade from the beginning. Indeed, Plymouth's first shipment to England contained some furs, and in the years 1631–1636 that colony sent approximately £30,000 worth to London. Massachusetts started out by allowing its towns a monopoly of the trade, which in turn was "farmed out" to the highest bidder, but after 1657 the General Court decided that control should pass to the colony. Also, the Bay Colony excluded "strangers from other parts" from competing in the fur trade within its borders. After King Philip's War (1675–1676) and the subsequent increase in population, the industry quickly declined in New England.

Meantime, the Middle colonies, headed by New York, had taken the lead in the fur trade. New York was favorably located, having ready access to the interior and being on friendly terms with the Iroquois. The trade had started when the region was under Dutch control. During the first eight years of New Netherland the profits were estimated at more than \$50,000, and by 1656 Fort Orange alone was exporting thirty-five thousand skins, mainly beaver and otter. After the English conquest the number of furs shipped abroad was even greater, continuing to rise until the end of the century, when war brought a decline.

After the Treaty of Utrecht (1713), New York's trade revived, although the French, with their fur headquarters at Montreal, had greater success and larger profits. As the English moved into the Mohawk Valley, the rivalry with the French became more intense. Workers went to any extremes to gain the upper hand, even dressing as Indians and scalping their competitors. The establishment of Fort Oswego (1726) helped to divert many furs to Albany.

Pennsylvania was slower in entering the field. It was not until her settlements pushed westward and her traders, like George Croghan, became active that she

gained large profits. She attempted to regulate this trade through the establishment of a number of fur "factories."

In the South deerskins formed the core of the trade. William Byrd I of Virginia built up a fortune in it, and by the opening of the eighteenth century traders of that colony were pushing nearly four hundred miles into the interior in search of more and cheaper skins. About the same time, Charleston, the leading market in the South, was exporting an annual average of seventy thousand furs; by 1731 this had jumped to two hundred twenty-five thousand; and by 1747 that port was shipping beaver furs and deerskins worth an estimated \$300,000. Georgia entered the field shortly after it was founded and was soon selling one hundred thousand pounds annually; by the later 1760's this amount had grown to more than three hundred thousand pounds, together with forty thousand pounds of leather.

England, finally realizing the importance of this trade, placed hides and skins on the enumerated list in 1764. But this stipulation that exports of colonial furs be limited to the mother country did not decrease colonial profits, for in 1770 the value of the fur trade was nearly \$700,000.

The fur trade was significant for many reasons. First, it provided a profitable export for the colonies. Next, it furnished the initial incentive to westward exploration and settlement. Third, it had an important bearing in diplomacy, for it contributed to Anglo-French and Anglo-Spanish conflicts. And finally, it was a factor in promoting hostility with the Indians. In this last respect, many colonists objected to the actions of white traders, who, as Nathaniel Bacon said, "buy and sell our blood," and who were characterized by Governor Robert Dinwiddie of Virginia as "the most abandoned wretches in the world." There were many colonial laws directed against cheating the Indians, or selling them "firewater and firearms," and prohibiting unlicensed traders from dealing with the tribesmen. These statutes were seldom obeyed because the profits were too great.

The Hat Industry. Closely associated with the fur trade was hatmaking. Rhode Islanders, New Yorkers, and, to a lesser degree, Pennsylvanians were engaged in manufacturing hats of better grades from beaver pelts by the opening of the eighteenth century. Their products, which sold for about ten shillings, were in great demand in other colonies, in the West Indies, and in the Iberian Peninsula. By the early 1730's these colonial hatmakers were exporting approximately ten thousand a year.

This competition worried the English Company of Feltmakers, which demanded an investigation. The resulting inquiry, which upheld the Feltmakers' contentions, resulted in the passage of the Hat Act of 1732, which banned the exportation of beaver hats to other colonies, to England, and to foreign countries. At the same time, the measure attempted to limit production of hats even for local sales by tightening restrictions on apprenticeship in the trade. It was easier to pass this law than to enforce it, with the result that the beaver hat industry continued in the colonies.

Another phase of this industry was the making of hats of cheaper grade in the Northern colonies. With wool and skins as the fabrics, these items were purchased by the so-called country trade. In the South, particularly in the Carolinas, hats of even poorer grade and selling for less than a dollar were made. These were in widespread demand among plantation owners for their slaves.

The Fishing and Whaling Industries. At least by 1500, fishermen from all countries of Western Europe were found off the Grand Banks of Newfoundland, gathering in huge hauls from the large schools of fish in that area. From then on throughout the colonial period, the fisheries were destined to be a source of wealth to the New England area. Not only did the poor soil of the region turn settlers from farming to the sea, but good harbors from Maine to the western end of Long Island Sound afforded protection for small fishing ships, abundant timber was available for constructing the craft, and not much capital was needed to enter the industry. In addition, because fishing did not require fulltime endeavor, many merchants and farmers pursued it at intervals. There was a widespread demand for fish as a food in the colonies, and a growing market in the Catholic countries of Europe and in the West Indies.

Captain John Smith, following his voyage of exploration in the New England region in 1614, had predicted that the fisheries would be as valuable as all the gold and silver mines of Spanish America. He also wrote:

The main Staple from hence to bee extracted for the present, to produce the rest, is fish; which however it may seeme a base commoditie: yet who will but truely take the pains and consider the sequell, I think will allow it well worth the labour.

And both the Council for New England and the original Massachusetts Bay Company were primarily interested in the fisheries.

It was the fisheries—not agriculture, or shipbuilding, or the fur trade, or commerce—that brought wealth to colonial New England, the center of the industry. Almost every coastal town had its fleet. By 1641 New England, though only about twenty years old, was exporting three hundred thousand of the “sacred cod,” and before the end of the century an estimated four thousand men, employing six hundred ships, were engaged in the fisheries.

The several intercolonial wars brought temporary setbacks to the industry, but after each there was another boom. Just before the Revolution, some ten thousand men obtained a livelihood from the sea, catching fish valued at approximately two million dollars. This important industry also contributed to the promotion of others, such as lumbering, shipbuilding, ship supplies, barrelmaking, and salt refining.

Cod proved the most profitable catch, but bluefish, herring, mackerel, salmon, and shad were also to be had in abundance. Fish were placed in three categories. The largest and heaviest were generally sold locally because they were too difficult to cure for export. The second type, of excellent quality but smaller and easily cured, were sent to Southern Europe. The third grade, fish of poor quality or too small for curing, or which were damaged, were exported to the West

Indies to be fed to slaves or used as fertilizer. The molasses the New Englanders usually received in exchange helped to promote the rum industry.

Closely associated with the fisheries was whaling, and again New Englanders were the chief participants. The colonial (and English) demands for spermaceti for candles, sperm or whale oil for lamps, whale bone and ivory for buttons, and ambergris for perfume led to the promotion of whaling after 1700. The adventurous whaling ships pursued their prey as far as the Arctic region.

Nantucket was known as the whaling capital of the world, with Marblehead, New Bedford, and Provincetown among the other ports active in the industry. By 1732 colonial legislatures were offering bounties of twenty shillings a year to whalers of more than two hundred tons, and within fifteen years the payment was doubled. During the height of the colonial whaling era (1770-1775) an estimated four thousand men, using three hundred ships, were engaged in the industry. Like the fisheries, whaling contributed to the growth of other industries: lumbering, shipbuilding, ship supplies, candlemaking, and button manufacturing.

Lesser Colonial Industries. What has been called America's first industry was glassmaking, for a "glass factory" was established in Jamestown in 1608. Unfortunately, it was shortly destroyed. Subsequently, glass was made in New Jersey and Pennsylvania, with "Baron" Stiegel as the most venturesome at his feudal plant in Manheim, Pennsylvania. Most of the output was for beads and trinkets, not window glass. Closely allied was brickmaking. The first kiln was constructed at Salem, Massachusetts, in 1629, although the real boom did not come until the next century when more brick houses were erected. Tile was also manufactured, as well as pottery, with New York, Pennsylvania, and Georgia in the lead. None of these industries, however, developed on a large scale.

Shoes were made in all the colonies, with Lynn, Massachusetts, as the first center. Paper, made of linen rag and of excellent quality, was an important manufacture in the eighteenth century, but there was never enough to meet colonial demands. A small mill might produce as much as a hundred pounds a day, but it was not ready for sale until three months later. There were a number of furniture makers, carriage makers, iron workers, and the like to be found in colonial America. Beer, ale, and rum were manufactured in quantity, and candlemaking grew along with whaling. In fact, it was possible to purchase many different types of American-made articles at the end of the colonial period, for industrial life had broadened. Naturally, however, most of the items were few in number.

Efforts to Promote Colonial Manufacturing. Numerous attempts were made during the colonial period to develop manufacturing. For example, in the second year of the Jamestown settlement the Virginia Company sent over eight Poles and Germans to produce naval stores, glass, metals, and potash. Other skilled workers were sent to Virginia prior to 1620 to establish an iron works. About a century later Governor Alexander Spotswood imported a number of



Colonial tools. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

Germans to set up a center of ironmaking. Massachusetts offered as much as £10 annually to specialized artisans, and German Palatines were encouraged to settle in New York to develop naval stores.

The most prevalent form of encouragement by government was the bounty. Massachusetts, for instance, offered inducements for the manufacture of woolen cloth, and at various times other colonies paid bounties for the production of sailcloth, linen, tar, potash, and numerous other commodities. Land grants were another form of bounty. Special gifts of land were made to operators of grist-mills, lime kilns, glassworks, and shoe "factories."

Monopolies were another form of inducement. Massachusetts gave a salt monopoly to one Samuel Winslow in 1641 for a ten-year period, and then extended it for another twenty-one years to John Winthrop, Jr. Connecticut voted four different salt monopolies between 1691 and 1746. Virginia and South Carolina eventually followed suit. Other monopolies were for naval stores, processing of tobacco, spermaceti candles,³ stoneware, flour bolting, glass, lampblack, bellmaking, tanning, slitting mills, gristmills, potash, and operating ferries.

Toward the end of the colonial period a number of cities established agencies to promote interest in manufacturing. The most prominent were the Boston Society for Encouraging Industry and Employing the Poor, the New York Society for the Promotion of Arts, Agriculture, and Oeconomy (to promote "the true Interest of this Colony, both public and private"), and the United Company of Philadelphia for Promoting Manufactures, all established after 1751. They generally set up spinning schools to train the young in the various aspects

³ The closest approach to a colonial "trust" was the establishment of the United Company of Spermaceti Candlers in 1761. Initiated by Richard Cranch & Co. of Newport, the nine companies that joined agreed on maximum prices for raw materials, commissions to be paid, selling prices, and on methods of preventing competition.

of the textile trade. Unfortunately, none of these societies lasted long or accomplished as much as the organizers expected.

Granting of patents was another method of encouragement. The Massachusetts Body of Liberties (1641) and the subsequent Connecticut Book of General Laws stated:

There shall be no monopolies but of such new inventions as shall be judged profitable to the country and that for such times as the General Court shall judge meet.

Among the important patents was the fourteen-year one granted by Massachusetts in 1646 to Joseph Jenks, an ironmaster in Lynn, for an improved sawmill, as well as for edged tools and scythes.⁴ George Fletcher received a patent from Virginia in 1652, under which he used wooden vessels and containers for distilling and brewing. John Clarke patented a warming device in 1656. Connecticut, between 1717 and 1733, awarded patents for making molasses from cornstalks, for a new process for making steel, and for a tidemill. Dr. Cook obtained a patent from the South Carolina legislature for a "proprietary medical compound," as well as for machinery to clean rice (1732-1765). A seven-year patent was given Roland Houghton for his "theodolite," a device for measuring angles (1735).

All in all, colonial industry, despite many obstacles such as the lure of agriculture, opposition from England, poor transportation, a scattered market, and absence of capital, grew steadily. Though most manufacturing was of the domestic type, there was impressive production of a secondary nature. With but few exceptions, however, industry was still on a small scale and in its formative years.

⁴ Jenks was also responsible for Boston's first fire engine, for the dies for the famous "pine tree shilling," and for a large iron workshop in Pawtucket, Rhode Island.

COLONIAL TRAVEL, TRANSPORTATION, AND TRADE

*

Perhaps the same restlessness, initiative, and enterprise that influenced Europeans to cross the Atlantic to the New World caused them to be a comparatively mobile population after their arrival. Sometimes their desire to move about from place to place in the colonies was the result of natural curiosity; sometimes it was the result of a need to find better land and new homes; sometimes it was the result of economic necessity, the need to dispose of products they themselves had raised or fashioned, or to obtain commodities unavailable in the communities where they lived. Despite the hardships of travel in colonial America, the inhabitants did get around from place to place. In the beginning water was the easiest means of travel, commonly used for both intracolonial and inter-colonial transportation and communication. As the colonies became more settled, land travel improved, bringing with it the need for better roads and more and better inns. Roadbuilding was also the result of the desire for improved postal facilities. And the ability to produce commodities for exchange promoted more and more commerce—within each colony, between colonies, and with other parts of the empire and the world. As the different types of trade developed, it became increasingly important that the colonists have convenient and adequate media of credit and currency. In these various aspects of colonial life, many natural hardships had to be faced. In addition, there were pirates to contend with, and the mother country's policy of regulation and control. Despite these obstacles, there was considerable improvement in all aspects of colonial travel, transportation, and trade as the American Revolution approached.

Water Transportation. Early settlers were primarily dependent on water for transportation. The great majority lived on or near a river or stream, and practically every family had a boat of some kind, perhaps only a light Indian bark canoe or a heavier dugout (which the Southern colonists referred to as a pirogue), depending on the desire for speed, the type of waterway, and portage needs. Scows and flatboats were soon used for transporting heavier cargoes. All

of these, used principally on inland waters, were propelled by oars, paddles, or poles, although when conditions warranted or longer trips had to be made, sails might be hoisted. Rapids, sand bars, fish and beaver dams, and other obstructions were frequent menaces to inland navigation. Little attention was paid to colonial statutes aimed at keeping rivers clear for navigation. The fall line, much nearer the coast in the north than in the south, prevented water transportation far inland, helping to account for the numerous towns located at such points. Moreover, the waterpower provided there was a great boon to such industries as sawmilling.

The early lack of good roads; the numerous navigable rivers, such as the Connecticut, the Delaware, and the Susquehanna, which crossed colonial boundary lines; and several fine harbors, such as Boston, New York, Philadelphia, and Charleston—all made water the best mode of intercolonial travel and transportation. For river and ocean travel the one-masted sloop and the two-masted schooner, each averaging about fifty tons, were most commonly used. There were also the two-masted brig, about twice as large, the two-masted snow, and the ship, which had three masts. For intercolonial trade the larger ships were seldom more than three hundred tons. There were frequent dangers to intercolonial water transportation. Uncharted channels, dangerous rocky coasts, shifting sand bars, shallow sounds and bays, dangerous inlets, adverse winds, and the absence of lighthouses and buoys caused hundreds of shipwrecks along the coast, especially off the Carolinas—the “graveyard of the Atlantic.”

Water travel was slow between the colonies. A trip from New York to Carolina required four or five days. From there to the West Indies took about two weeks. For the transatlantic voyage three to eight weeks were needed, depending on the winds. It took the *Mayflower* more than two months to reach Cape Cod, and Peter Kalm, in the middle of the eighteenth century, wrote, “It is common in winter time to be fourteen, nineteen or more weeks in coming from Gravesend [England] to Philadelphia.” For passengers there were many discomforts on shipboard. Conditions were so crowded that members of the crew, and even some of the passengers, frequently had to sleep on boxes and barrels. Moreover, food supplies often ran out or spoiled on the journey.

There was considerable improvement in the eighteenth century. Ships were larger and speedier, and there were more comforts aboard. The invention by Andrew Robinson of Gloucester of the schooner (c. 1713), “purely a Yankee contrivance,” provided the fastest type of ocean transportation. There were also better harbor facilities, more attention was paid to marking channels, greater care was given to the licensing of pilots, improved cartography led to better maps, and more and more lighthouses were constructed to warn ship captains of dangerous shoals.

Throughout the colonial period freight costs by water were much cheaper than by land. For instance, it cost a shilling a bushel to cart wheat from Northampton, Massachusetts, to Windsor, Connecticut, but by the Connecticut River from Windsor to Hartford the charge was only two pence, and from Hartford by river and sea to Boston, six pence.

Land Transportation. The proximity of settlements to waterways, the sparse and scattered population, the aversion to taxation, the scarcity of capital, and the preoccupation of colonists with pursuits deemed more important were major factors in the slow development of overland transportation. As one contemporary put it, "Good roads are like angel's visits, few and far between."

The first roads used by the settlers were nothing more than Indian trails or "trading paths," which in turn had originally been buffalo trails. They were narrow and frequently winding, but they had the advantage of following the shortest and best routes, topographically speaking. Constant and increased usage by the growing number of whites gradually widened and deepened these trails. As a result of a mounting demand from inhabitants, local and provincial authorities turned their attention to making actual roads. Colonial travel accounts—and many are available—all agree that the roads, practically up to the time of the Revolution, were bad. Such statements as "poor," "wretched," "exceedingly bad," "miserable," and "the worst in the world" described them. They were narrow, seldom more than eight feet in width, and many were even narrower. Highways were dusty in summer, and muddy or impassable in winter. Stumps might be found in the middle, and washouts were frequent. Janet Schaw, writing about North Carolina's roads in the 1770's, said:

The only making they bestow upon the roads in the flat part of the country is cutting out the trees to the necessary breadth, in as even a line as they can, and where the ground is wet, they make a ditch on either side.

The traveler was impressed with the desolation and loneliness of the roads. One account stated that "nothing can be more dreary, melancholy and uncomfortable than the almost perpetual dreary pines, sandy barrens, and dismal swamps." There are also many contemporary accounts of travelers who lost their way because the blazes on trees became indistinct or because signposts and milestones were not in evidence.

All the provincial legislatures eventually passed road laws. Massachusetts, for instance, enacted a statute in 1639 requiring each town to lay out roads connecting it with neighboring villages. Other measures provided for clearing of trees and other obstructions from a right of way, usually twenty feet, for the appointment of road supervisors or surveyors, for setting up mileposts, and also for erecting signposts wherever roads crossed or forked. Enactment of such statutes was easier than enforcement. A typical complaint, as late as 1778, was:

[The main road] has become so bad, through the neglect of the Overseers of it, as greatly to delay the Post Riders and Travellers in general. Trees have fallen across it, and are not removed; the Roots are not cut up; a number of Causeways are Swamps and full of Holes, and many of the Bridges are almost impassable.

There were few bridges until late in the colonial era, and ferries were conspicuously absent in many areas. The larger rivers did have ferries later, but the smaller streams still had to be forded. Gradually, there were also many acts concerning the width of bridges, the size of planks to be used, the type of railings, and whether the bridges were to be covered. But again the statutes were

not followed. There was similar disregard of the laws requiring ferry operators to charge the legal rate and to have "good and sufficient boats."

Despite the criticism of colonial roads throughout the period, there was vast improvement in the eighteenth century. They were still bad by present-day standards, it is true, but were probably no worse than those in the mother country. An Englishman journeying through Massachusetts in the middle of the century reported that the local highways were "exceeding good in summer;" and, in contrast to his native land, "it is safe travelling night or day, for they have no highway robbers to interrupt them."

There was a definite extension of roadbuilding in that century, not only within each colony, but between and among the provinces. The first colonial guidebook (1732) gave information about roads, ferries, and taverns, as well as the distance between important towns. It revealed that even at that early date one could go by road from Boston to Jamestown, a distance of 711 miles. Thirty years later the trip could be extended to Charlestown, South Carolina. At about the same time (1760), a traveler had the choice of four roads from Boston to New Haven, and from New Haven to New York City there was a better-than-average highway along Long Island Sound. From New York to Philadelphia there were several different routes to be selected. The Great Road from Philadelphia to Salisbury, North Carolina,¹ was the only important road north and south through the back country, although there was a difference of opinion about its quality. East-west highways were not cut until the French and Indian War, and then originally for military purposes. The two most important "military roads" were Braddock's and Forbes's; the former ran from Fort Cumberland to Pittsburgh, the latter from Fort Loudoun to Pittsburgh. In the east post roads were being built, the two most notable being the Boston Post Road from Boston to New York City, and the Albany Post Road from New York City to Albany. By the time of the Revolution roads between larger towns were usually kept in fair condition, partly the result of an increasing population. As John Singleton Copley, the noted painter, wrote about a journey from Boston to New York City in 1771, "You scarcely lose sight of a house." Someone else wrote that there was "almost continuous settlement from Maine to Georgia, connected by a network of roads."

The number of road laws increased, especially after 1740, but as in the past, they were difficult to enforce. Growing travel and trade also led to a larger number of ferries, although along the more important arteries the connecting links were bridges. Most important bridges and many roads charged tolls. The first prominent break from the fee system was in 1758, when the bridge across the Harlem River, connecting Manhattan Island with the mainland, was made toll-free.

Land Conveyances. At first, land travel and transportation was by foot, but gradually horses came into use. Then, as roads improved, wagons made their appearance. Two-wheeled carts on the European model could be used most of

¹ See p. 256.

the year, the condition of the highways and the weather permitting. These horse- or ox-drawn vehicles had the advantage of comparative ease of maneuverability. Wagons, with cumbersome wheels, were the next improvement; some of them could carry up to a ton of freight. Sleighs were used in the winter months, especially in the North, throughout the colonial period.

For passenger service the gig, the sedan chair, the chaise, and other "pleasure vehicles" began to make their appearance in towns by the end of the seventeenth century. In Boston, where such conveyances were introduced in the 1680's, there was considerable opposition, as there was elsewhere at first, because of the luxury and extravagance that these "pleasure vehicles" seemed to represent. With the passage of time, however, they came into wide use; Philadelphia had eighty-four private coaches at the time of the Revolution. In the South the favorite conveyance was the carriage, or coach. Many a planter had his coach and six [horses], driven by a Negro coachman, assisted by a footman. The appearance of these private horse-drawn vehicles led to the passage of the first municipal speed laws. Many a driver was arrested for trying to outrace his rivals, to the danger of unwary pedestrians.

The Stagecoach. The eighteenth century witnessed the development of the stage coach. By 1750 it was possible to go by coach from New York to Philadelphia, even though passengers had to change coaches several times—in other words, they went by "stages." In 1753 an innovation was made; one could take a stage coach to Trenton, and then go by boat to Philadelphia. A bi-weekly stage boat schedule was advertised as being maintained "load or no load." Around 1764 a through stage ran from New York to Philadelphia, making the ninety-mile trip in three days, and it was soon cut to two. Thereafter, it was possible for passengers who paid twenty shillings "[to] go from New York to

The Beekman family coach. (Courtesy of The New-York Historical Society, New York City)



Philadelphia and back again in five days, and remain in Philadelphia two Nights and one Day to do their business." The coaches on these speedier lines were known as "flying machines." The rate for passengers inside the coach was 30 shillings; riding on top or on the outside, 20 shillings. Each passenger was allowed fourteen pounds of baggage, paying two pence a pound for any excess. In 1772 the cost of travel from New York to Boston was three pence a mile, and "Baggage at a reasonable rate." The advertisement went on to state:

Gentlemen and Ladies who choose to encourage this useful, new, and expensive Undertaking may depend upon good Usage, and that the Coach will always put up at Houses on the Road where the best Entertainment is provided.

Travel by coach was something of an adventure. The trip might begin as early as two in the morning, and the day's journey, probably of less than fifty miles, might not be concluded until ten at night. Comfort was lacking, for the coaches had no springs, although late in the period leather straps, on which the coach body rested, served as substitutes. The body was high off the ground, and was reached by steep folding steps. The seats were nothing more than planks, placed crossways. Those who rode on top constantly risked being thrown off.

Thomas Twining, a young English traveler, gave the following description of a "stage-wagon"; this was in 1795, but the coach he rode in was similar to pre-Revolutionary ones:

The vehicle was a long car with four benches. Three of these in the interior held nine passengers. A tenth passenger was seated by the side of the driver on the front bench. A light roof was supported by eight slender pillars, four on each side. Three large leather curtains suspended to the roof, one at each side and the third behind, were rolled up or lowered at the pleasure of the passengers. There was no place or space for luggage, each person being expected to stow his things as he could under his seat or legs. The entrance was in front over the driver's bench. Of course the three passengers on the back seat were obliged to crawl across all the other benches to get to their places. There were no *backs* to the benches to support and relieve us during a rough and fatiguing journey over a newly and ill-made road.

Colonial Inns. In the early years lodgings and "restaurants" along the road were few, and those few were generally of poor quality. Wagon drivers complained that they often had to spend the night "upon dry leaves on the ground with the feet towards a large fire, which they made by the road side wherever night overtakes them, and are covered only with a blanket." Travelers who were lucky enough to stop at a planter's home at nightfall usually fared well as far as food and lodging were concerned, those who were compelled to stay overnight at a small farmhouse found "miserable conditions," and those who had to lodge at an inn, tavern, or ordinary² underwent a real experience.

Although all innkeepers had to obtain licenses from the county court or some other official agency and furnish bond that they would make adequate provision for guests and their horses, most of the taverns, with the exception of some

² Literally, an ordinary was an inn where meals were served regularly and at fixed prices.



The Blue Bell Tavern, Kingsbridge Road, Manhattan Island. (From Valentine's *Manual*, 1857, Courtesy of The New-York Historical Society, New York City)

located in the larger towns, were in bad condition. The following description by an English traveler of Carolina ordinaries was probably not exaggerated:

They were mostly log-huts, or a frame weatherboarded; the better sort consisted of one story and two rooms; the more numerous having no internal divisions.... One corner of the room would be occupied by a "bunk" containing the family bed; another by a pine-wood chest, the family clothes press and larder; a third would be railed off for a bar, containing a rum-keg and tumbler. The rest of the furniture consisted of two chairs and a table, all in the last stage of palsy.... If hunger and fatigue compelled you to remain, a little Indian corn for your horse, and a blanket on the hearth, with your saddle for a pillow, to represent a bed, were the most you would obtain.... As to edibles, whether you called for breakfast, dinner, or supper, the reply was one—eggs and bacon.... Ten to one you had to cook the meal yourself.... No sooner were you seated than the housedog (of the large wolf breed) would arrange himself beside you and lift his lank, hungry jaws expressively to your face. The young children, never less than a dozen (the women seeming to bear them in a litter in those regions), at the smell and sight of the victuals would let up a yell enough to frighten the wolves.

With the passing of the eighteenth century, however, tavern conditions did improve. More pride was taken in the main room, with its sanded floor and large fireplace and numerous benches and chairs. In one section of this "parlor" or "lounge" there were several tables to serve customers their meals. On one side was the bar, a necessary adjunct for every inn. The more pretentious taverns in the larger towns had a separate lounge for the womenfolk by the time of the Revolution.

It was next to impossible for a traveler to obtain a private room and bath in colonial inns. Often there were only two bedrooms; male travelers slept in one, female in the other. And in each room there might be but one bed, in which perhaps four guests were expected to sleep. Late arrivals were compelled to rest as best they could on the floor.

In the rural areas an excellent location for a tavern was at a crossroads or fork, or at a ford across a river. In towns a good site was near a church, an

excellent spot for business when sermons were long, the church cold, and the tavern warm. So attractive and competitive were the nearby inns that Massachusetts passed a law requiring tavernkeepers within a mile of a church to turn out all persons during hours of service "who were able to go to church." A wit, commenting on this measure, said, "Thus the townsmen were frozen out of the tavern to be frozen in the meetinghouse." On the other hand, a license for a tavern was sometimes granted with the stipulation that "hee keape it neare the new meeting-house."

Drinking, of course, was a prime feature of inns. Indeed, the taproom was usually the largest room. Many an advertisement told of the "good drinks" that a particular tavern served its customers, such as the Todd (eventually "toddy") mixture of rum dispensed at the Black Horse Tavern in New York City. Imbibing not wisely but too well led to colonial laws that attempted to prevent the sale of intoxicants "to any youth under 21, or to any apprentice, journeyman, servant, or common sailor." Also, in some colonies landlords were fined for allowing persons to become drunk within their establishments.

In addition to the appeal of special drinks, some inns advertised the availability of pool tables, bowling alleys, and other forms of amusement. In New York, at least, such facilities sometimes led to "Gameing." Consequently, the legislature passed a law in 1741, prohibiting any innkeeper from having a "Common Billiard Table, Truck Table or Shuffle board Table . . . or Suffer any Person or Persons whatsoever to Play or Game either by Day or Night," under penalty of a twenty-shilling fine.

Daphne Room of the Raleigh Tavern, Williamsburg, Virginia. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)



Owners of ordinaries took great pride in their signs, such as the Bunch of Grapes, the Jolly Sailors, the King's Head, some of which were painted by prominent artists of the day. Other keepers preferred signs carrying statements like "Drink for the thirsty, Food for the hungry, Lodging for the weary, and good keeping for Horses."

Taverns proved to have a leveling influence, for class distinctions were not recognized at a bar, and there was no attempt to segregate the customers. Some inns were social centers, where clubs met and dances and musicales were held. They were the centers of gossip and news exchange. Revolutionary meetings took place in some taverns, particularly in the Apollo Room of Raleigh Tavern in Williamsburg, which was also the place where Phi Beta Kappa was organized. Thomas Jefferson did most of the drafting of the Declaration of Independence in the Indian Queen Tavern in Philadelphia, and George Washington bade farewell to his officers at the end of the Revolution at Fraunces Tavern in New York City.

County courts and even legislatures convened in the larger taverns occasionally. In the big towns inns were used as auction rooms, insurance offices, business exchanges, and even as jails in an emergency. But as far as travel was concerned, they were needed to help make long journeys a little more pleasant by providing food and lodging for man and beast.

The Colonial Post Office. An important incentive to roadbuilding was the colonial interest in the development of a postal system. Early settlers quickly felt the need of a regular means of communication with their friends back home and in other parts of America. And the governments—English, colonial, and local—found speedy communication essential to circulate statutes, to keep in touch with various officials, and to send out military orders.

In the early years, however, there was no organized postal system. Letters and messages were delivered in a variety of ways: by ship captains, merchants, friends, travelers, private messengers, Indians—in fact, by anyone going somewhere near the addressee. Letters to and from England were carried by captains of private vessels, for no government packets had been established. It was common practice for ship captains sailing for America to hang up a bag in an advertised coffee house for letters. By custom, not by law, the fee was a penny for a single letter, two pence for a double letter (containing more than one sheet), and two pence for a package.

The first postal system in the colonies was proposed in New England in 1638, when it was suggested that the crown grant a monopoly for sixty years to the person who would establish such a system "so useful and absolutely necessary." The postal fee for each letter would be two pence—"the least coin there is." As nothing came of this proposal, the colonies eventually went ahead on their own.

The following year the Massachusetts General Court authorized Richard Fairbanks of Boston, a tavernkeeper, to handle letters going to Europe at the rate of a penny a letter. There was no compulsion about this, for the Court

went on to state that "no man shall be compelled to bring his letter thither except as he please."

The Dutch in New Netherland took the next step in 1652, when the office of the provincial secretary was designated as a post office, and five years later Director Stuyvesant and his council stipulated that no one be allowed to board incoming ships until after a government agent had taken off official mail. All other letters were to be held until "a proper list" of them was made "to insure their delivery to the right man or owner." The ship's supercargo might collect six cents for each letter. In 1659 the Dutch government took steps to improve the delivery of mail from New Netherland, which had been done "badly or with great delay" by ship captains. They must give bond to carry letters only in sealed bags, "under penalty of one hundred Carolus guilders for each contravention."

In the South, Virginia took the lead in 1662 when it passed a measure for the transmission of public and official mail:

All letters superscribed for the service of his Majesty or publique shall be immediately conveyed from plantation to plantation to the place and person they are directed to and a penalty of 350 pounds of tobacco to each defaulter.

The first attempt to promote a regular intercolonial post was made by Governor Francis Lovelace of New York, who proclaimed in December 1672 that after the first of the next year monthly post trips would be made between New York City and Boston. All who wished to send by this post should deliver their letters to the colonial secretary and pay the necessary fee. Massachusetts followed in 1673 by giving post riders a fixed allowance of three pence a mile, and innkeepers were not to charge the public post rider more than two pence a bushel for oats and four pence for hay "day and night." This was only for public and official mail. In the same year New York required an oath for a master of the post (postmaster) :

You doe Sweare by the Everlasting God, that you will truly & faithfully discharge the trust reposed in you as a Post Master, and that you will neither directly nor indirectly detayne, conceale, or open any Letters, Packetts, or other Goods committed to your Charge, but carefully, honestly deliver or cause to be delivered all such Letters Packetts or other Goods to the Persons they properly belong unto, & that you will make all the Expedition in passing and repassing the severall Stages with all speed, & to make noe more stay than necessarily belongs to the refreshing your selfe and Horse & in all things truly & soberly to comport yor selfe, so as belongs to the trust reposed in you as Post Master ought to doe.

In 1684 Governor Thomas Dongan of New York envisioned a chain of post houses from Nova Scotia to Carolina, but nothing came of the idea, though Edward Randolph was named deputy postmaster in New England (1685-1689). The New York legislature did pass an act in 1692 "for the Encouraging a Post Office"; its most unusual feature was that each letter should be dated.

Meantime, King William III in 1691 appointed Thomas Neale as postmaster-

general, with a twenty-year monopoly, for all the American colonies, with "authority to establish within the chief parts of their Majesty's colonies and plantations in America, an office or offices for the receiving and despatching of letters and pacquets, and to receive, send, and deliver the same." Neale, who stayed in England, made the able Andrew Hamilton of New Jersey his deputy. The latter persuaded most of the colonies to enact laws fixing local rates, but the only intercolonial service was that provided between New Hampshire and Philadelphia. Neale did not make the expected profit from his monopoly, for a report in 1697 showed a deficit of £2,360. Some local postmasters were paid an annual fee of £10.

When Neale's monopoly expired in 1711, Parliament made the colonial post office part of the imperial system. There was to be a postmaster-general resident in London for the whole empire, and John Hamilton would be his deputy for America. Overseas rates were established between London and New York, where the major colonial post office was established: for a single letter, one shilling; for a double letter, two shillings; for a "treble" letter, three shillings; and for a letter weighing one ounce, four shillings. Within the colonies a single letter sent to within a hundred miles of New York cost six pence; a double or treble letter, one shilling; a one-ounce letter, two shillings. Because there was laxity in paying these fees, a law of 1714 ordered the public "to Pay the Portage" before posting letters.

This system, though markedly better than the older one, did not function efficiently until the early 1730's, when Alexander Spotswood of Virginia was named postmaster-general for the colonies. He was paid £100 a year, together with 10 per cent of the profits. In 1737 he appointed Benjamin Franklin as his deputy.³ Franklin did much to improve the service after he became co-director. First, he made a tour of inspection to ascertain "new and shorter routes." Next, he persuaded colonial legislatures to appropriate money for the post offices and eventually to reduce rates. Better roads resulted, and milestones were placed along the principal routes. Improved roads aided in increasing the speed of post riders and permitted carriage of mail at night in some areas. Weekly deliveries increased threefold, and the number of mail users even more rapidly. More efficient service led to fewer unclaimed letters; one method was to advertise them. Perhaps because of Franklin's interest in the press, newspapers could now be mailed. Thanks to all of these improvements, the American postal service showed a profit for the first time in 1757. Franklin wrote in his *Autobiography*:

The American office never had hitherto paid anything to that of Great Britain. We [Franklin and Hunter] were to have six hundred pounds a year between us, if we could make that sum out of the profits of the office. To do this, a variety of improvements were necessary; some of them were inevitably at first expensive; so that in the first four years the office became above nine hundred pounds in debt to us. But it soon after began to repay us; and before I was displaced . . . we had brought it to yield *three times* as much clear revenue to the crown as the post-office of Ireland.

³ Head Lynch succeeded Spotswood in 1739, and was followed by Elliot Benger (1743-1753). In 1753 Benjamin Franklin and William Hunter were named joint postmasters.

Stamps were not used in those days, and postage was customarily paid by the recipient of the mail, based on its size and the distance it was carried. Nor were there envelopes; letters were folded so that the unwritten parts of the sheets were outside and were used for the address. They were sealed with wax, sometimes pressed with a special ring.

Trade and Commerce. Of outstanding importance to the economic life of the colonies were trade and commerce. The colonies, at least 90 per cent agricultural, naturally had surpluses of foodstuffs and articles of primary manufacture to sell; at the same time, they needed manufactured goods and other necessities they did not produce. As the complementary exchange could only be accomplished by trading, colonial exports and imports grew in volume with the passing of the years.

Many factors contributed to this growth in trade. All the colonies were located along the Atlantic seaboard and had direct access to the ocean. There were many natural ports, such as Boston, Newport, New York, Philadelphia, Norfolk, and Charleston. A number of navigable rivers, like the Connecticut, the Hudson, the Delaware, the Potomac, and the James, were important avenues of trade, and, as Ellen Semple wrote, "The accessibility of continents is determined by the navigability of their rivers." Coastal towns quickly sprang up from Maine to Georgia. A French traveler, visiting Virginia in 1686, recorded:

None of the plantation houses, even the most remote, is more than 100 or 150 feet from a "crik" and the people are thus enabled not only to pay their visits in their canoes, but to do all their freight carrying by the same means.

A scarcity of good, easily worked, fertile farm land in New England helped to turn the settlers in that section to trade and commerce fairly quickly. In the South the production of such commodities as tobacco, rice, and naval stores gave the planters staples to exchange for needed manufactured goods, thus making commerce both possible and profitable.

England, through several Navigation Acts and measures regulating trade, did attempt to control commerce to some degree. For instance, under the Navigation Act of 1660 she insisted that enumerated articles must not be shipped outside of the empire, in the hope that they would be sent to England. Under the Staple Act of 1663 she attempted to force the colonies to buy most European goods from English middlemen. In these and subsequent measures she decreed that all trade between herself and her colonies must be carried in English or colonial ships. The colonies derived certain advantages from these measures. All were freed from Dutch competition. The Southern provinces were assured of a market for the enumerated articles they produced and thus had commodities to exchange for the English goods they needed. The Northern colonies had few products England wanted; they could therefore export anywhere, and thus could obtain the hard money or the credit they required to pay for purchases from the mother country. Such Parliamentary statutes as the Woolens Act, the Hat Act, and the Iron Act, which attempted to prevent competitive colonial

manufacturing, could in a sense be considered boons to colonial trade because they tried to maintain the complementary economy of the empire.

Obstacles to Colonial Commerce. The growth of colonial trade might have been greater and more rapid had it not been for numerous obstacles. Some writers insist that the Navigation Acts were more restrictive than beneficial. Perhaps more important than the acts themselves were the activities of overzealous customs collectors and naval officers, who frequently exceeded their instructions and authority in arresting real or fancied violators of the trade acts.

Four intercolonial wars during the period between 1690 and 1763 were naturally detrimental to commerce, as were also the Indian uprisings that intermittently occurred. During the hostilities with the French, privateers were a constant menace to colonial shipping. Depressions, which followed each war, were also harmful to trade, and closely associated with the depressions were the inadequate colonial specie, the inflationary effects of paper money, the resulting price fluctuations, and the absence of proper credit facilities.

The elements likewise played a part in hurting colonial commerce. Sudden storms and unfavorable winds caused frequent shipwrecks. Inaccurate maps, the dearth of lighthouses and buoys, shifting sands, and blocked channels contributed to many maritime disasters.

Piracy. Piracy was then prevalent in all parts of the world: in the Mediterranean, along the African coast, throughout the Atlantic, among the West Indies, and even in colonial bays and inlets. Contemporary accounts make numerous references to the most savage of all, the "Madagascar Pirates." The Caribbean area was the major hunting ground of pirates in New World waters. That region afforded good booty, particularly from Spanish treasure ships or galleons. Law enforcement there was conspicuously absent, and numerous islands, bays, and coastal indentations afforded abundant hiding places and rendezvous for the fliers of the "Jolly Roger." It was in this locale that Hawkins, Drake, and numerous other Englishmen (who were not regarded by their countrymen as pirates) acquired great wealth in the sixteenth century. In the following century piracy was still directed primarily against the Spaniards, with the tacit approval of the English government.

In the remainder of the seventeenth century and the early eighteenth, however, these freebooters regarded as valid prey the ships of all countries. There was also a close association between pirates and privateers, bred by the almost constant warfare. In wartime privateers could legally attack enemy-owned merchant ships; when treaties or truces ended formal armed conflict, however, some privateering captains and crews continued their attacks as pirates. Indeed, many of the better-known pirates of the eighteenth century began their careers with "legal theft" under letters of marque.⁴

Piracy was encouraged or winked at by many colonial officials, particularly in

⁴ Letters of marque and reprisal were the authorization by a belligerent government of privately owned ships or privateers to engage in war against enemy commerce.

Edward Teach, alias Blackbeard. (Courtesy of the University of North Carolina Library)



the provinces of Rhode Island, New York, the Carolinas, and even in Pennsylvania. Many local merchants were in league with pirates in order to obtain goods more cheaply, without the payment of regular customs duties. Although the number of pirates and their significance have probably been overemphasized by writers of adventure stories, there certainly were hundreds, if not thousands, of these freebooters in the so-called Golden Age of Piracy (c. 1689-1718). Most of them, however, made little profit. They also regarded one another as fair prey, and paid little attention to the adage that there is honor among thieves. In the main, the average pirate was a "pitiful rogue," whose idea of wealth was as little as £200. Despite the fictional accounts to the contrary, he seldom attacked heavily armed ships, and he surrendered readily to superior strength, even when he knew that the gallows awaited him.

Few persons realize that piracy flourished in the colonial era because the English navigation laws were extremely unpopular, and it was the normal thing to try to evade them. Smuggling was widespread, and from smuggling to piracy was but a short step. Indeed, many who were pirates were otherwise considered respectable, and were sometimes hidden from royal officials by sympathetic colonists. After all, the pirates did provide them with needed commodities at prices much lower than through regular channels. And pirates were also credited with attacking and destroying merchant ships of competing countries.

The British government first legislated against piracy as early as 1536, stating that all culprits must be tried in England. In 1700, at the height of piratical enterprises, the law was broadened to provide for special commissioners in the colonies to try suspected pirates. The most publicized freebooters were Captain William Kidd, who was finally captured and hanged in the Old Bailey in Lon-

don in May 1701;⁵ Stede Bonnet, who was put to death in South Carolina in 1718; and Edward Teach, better known as "Blackbeard," who was killed the same year by an officer of the royal navy. Thereafter, danger from piracy lessened, aided by the English proclamation of 1717, which extended pardon to those who voluntarily surrendered. Most pirates took advantage of this amnesty. Nevertheless, during the Golden Age of Piracy, colonial commerce suffered appreciably from attacks by the freebooters.

Local Trade. Stimulated by numerous factors that more than offset the obstacles, the trade and commerce of the colonies developed materially with the passing years. For purpose of clarity and convenience, this development will be divided into the following categories: (1) local trade and exchange; (2) trade with the mother country; (3) trade with the countries of continental Europe; (4) trade with the British and foreign West Indies; and (5) the coastwise trade.

In every town and village there were stores and shops of every description, which were the main channels of distribution of goods in the localities. By the opening of the eighteenth century some shops in larger communities were specialized, but the average colonial store was a general one. Many merchants were both wholesalers and retailers; others were both planters and merchants; some owned and even operated ships; a number were engaged in money-lending and were the major sources of credit in their communities. For example, the Scottish firm of John Hamilton Company had branches in Virginia and Carolina. It owned warehouses and stores that carried a variety of both local products and imported merchandise. The company sold ships and wagons. It controlled a cooperage, a hattery, a tailor shop, and a smithy. It also operated several plantations, and dealt in livestock—cattle, hogs, and horses.

In rural areas there were many merchants with the typical "country store"—a crossroad was the ideal location—that carried nearly everything local consumers needed. And the merchant extended credit to the farmers of the neighborhood. Inns and tavernkeepers along the highways often had a small stock of wares available to passers-by, and in the South, where distances between settlements were great, planters frequently had commodities for sale.

Most of the merchants attempted to operate on a cash basis, and some even advertised that they would not extend credit. But colonial America was no place for a strictly cash business. The scarcity of specie and the prevalence of "country pay," among other factors, made cash transactions almost impossible. Therefore, barter was the usual means of disposing of goods.

Another form of local trade was the market, which definitely reflected the European background of the colonists. Held at specified places on a designated day of the week, these markets brought together farmers and town dwellers to exchange produce for manufactured goods. There was some opposition from local shopkeepers and merchants, for the market eliminated the middleman, but according to the Massachusetts act of 1696, which established the market in

⁵ Actually, Kidd was found guilty of murder rather than of piracy.



The peddler displaying his wares. (Painting by Asher B. Durand, Courtesy of The New York Historical Society, New York City)

Boston, "It was principally intended for the benefit of housekeepers." Fairs, also of European origin, were held annually, and sometimes oftener, in or near larger towns.

Still another type of trade was conducted by peddlers, then commonly known as hawkers or chapmen. They were to be found principally in New England, where they went from house to house with a stock of necessities such as combs, pins, brass buttons, needles, dyes, tin cups, cutlery, and drugs. They were a boon to those living in isolated communities. Their competition brought vigorous protests from local merchants and shopkeepers, who asserted that peddlers cheated their customers by selling them inferior articles for high prices. These protests were in large part responsible for the enactment of colonial laws limiting the activities of hawkers. The most notable was that of Connecticut—the traditional home of the "Yankee peddler"—in 1765, which levied an annual fee of £20 on each house-to-house salesman.

Trade with England. Of more economic importance than the various forms of local trade was the commerce with England. This trade was not large in the seventeenth century, to be sure, for the colonies were devoting their major attention to ensuring permanency and earning a livelihood, while the mother country was involved in internal conflicts—the Puritan Revolution (1640–1660) and the Glorious Revolution (1688–1689)—during which there was comparatively little exchange of goods. What trade there was consisted largely of tobacco shipments from the Southern colonies; furs, lumber, and ships from New England and the Middle colonies; and colonial importation of English manufactured goods, wool, and some iron. By 1700 it has been estimated that

the colonies sold approximately £395,000 worth of commodities to the mother country and purchased about £344,000 from her.

In the eighteenth century, however, trade between England and her American possessions grew by leaps and bounds. The best way to deal with this commerce will be to consider each section individually. New England produced little that England needed, with the exception of some furs (but there was no great activity in the fur trade after 1676), masts and spars, ships, and whale products. On the other hand, that section, despite its industrial activities, had to purchase increasing quantities of English manufactured goods. Thus, as the Revolution approached, the balance of trade went more and more against New England. Indicative of this trend are the following annual average figures by periods:

	EXPORTS TO ENGLAND	IMPORTS FROM ENGLAND
1701-1710	£ 37,000	£ 86,000
1731-1740	64,000	197,000
1761-1770	113,000	358,000

The Middle colonies were in about the same situation as New England. They sold similar commodities to the mother country, perhaps including more furs, and purchased practically all their manufactured needs from her. Once more, the balance of trade was increasingly against them, as the annual average figures indicate:

	EXPORTS TO ENGLAND	IMPORTS FROM ENGLAND
1701-1710	£22,000	£ 37,000
1731-1740	28,000	144,000
1761-1770	97,000	644,000

The Southern colonies traded mainly with the mother country. Their major exports—tobacco, naval stores, rice, and indigo—were on the enumerated list and were sent to England, rather than to other colonies, in exchange for the manufactured goods the South required. As the eighteenth century progressed, more and more deerskins were shipped to England; tobacco, however, comprised about three quarters of the Southern exports. During the first half of the century the trade balance favored these colonies, but thereafter the swing was toward the mother country. The following figures tell the story:

	EXPORTS TO ENGLAND	IMPORTS FROM ENGLAND
1701-1710	£219,000	£150,000
1731-1740	571,000	304,000
1761-1770	834,000	893,000

To put the facts in another way, by 1770 one quarter of New England's exports were to England, while 40 per cent of her imports came from the

mother country. The Middle colonies sent half of their exports to England, and made nearly half of their purchases there. As for the remaining colonies, seven ninths of the exports of Virginia and Maryland, five sevenths of the Carolinas', and five sixths of Georgia's were shipped to the mother country; and seven eighths of the imports of Virginia and Maryland, three fifths of the Carolinas', and five sixths of Georgia's imports came from England.

Trade with Europe. In order to dispose of the products England did not want, the New England and Middle colonies had to seek other markets. Moreover, these two groups of colonies needed money to pay obligations to English merchants incurred as a result of the adverse trade balance. Thus, a rapidly increasing trade was conducted with the countries of Europe, particularly with Spain and Portugal, as well as with the so-called wine islands. Among the more important items exported were fish or "spring fare," wheat, flour, furs, lumber, and, despite the enumerated list, naval stores. Although total figures are not available, some idea of the extent of this export trade may be suggested by the fact that in 1770 the Northern colonies sent 558,000 bushels of wheat and eighteen thousand tons of bread to ports of Southern Europe. And by the time of the Revolution, the colonial trade with those nations was considered as valuable as that with the West Indies. In return, the Northern colonies purchased some wool from Holland, salt from Spain, and wines from the Azores and Madeiras. Because the balance favored the colonies, they also obtained much needed specie.

The West Indian Trade. To parallel the growing commerce with England and Europe, the eighteenth century witnessed a huge increase in trade with the West Indies, both British and foreign, and its importance to the mainland colonies cannot be overemphasized. Most of the Caribbean islands specialized in the production of sugar and its byproducts; as a result, they had to import most of their foodstuffs and many other necessities of life. The New England and Middle colonies, with their surpluses of wheat, lumber, horses, and fish, therefore found good markets for those commodities. In turn, the profitable rum industry of New England depended on the molasses the West Indies had to sell. As evidence of the importance of this trade, in 1770 those islands shipped approximately £950,000 worth of exports to the American mainland, of which about 50 per cent consisted of sugar and molasses. The West Indies were also an important link in the so-called triangular trade, in which New Englanders in particular shipped rum to Africa, where it was exchanged for slaves, who were then taken to the West Indies and exchanged for molasses. It goes without saying that the shrewd "Yankee" traders made a profit at each angle. The West Indies were also a link in another phase of colonial trade. Shippers from New England and the Middle colonies would send their surpluses to the West Indies, where they would accept bills of exchange. Then, sailing to England, they would use such bills to pay for manufactured goods that were carried to the Northern colonies. The balance generally favored the mainland colonies; therefore, the

West Indies trade was a source of specie, which the colonies used to help pay their commercial debts to the mother country. This trade was throughout the colonial period an indispensable part of the economy of the mainland provinces.

Internal and Coastwise Trade. The internal and coastwise trade was also important to the colonial economy. It was by means of internal trade that furs, potash, farm produce, and the like were brought overland or by rivers to coastal ports for shipment overseas. It was through the coastwise trade that Maine, New Jersey, Connecticut, Delaware, and North Carolina, none of which had important ports for the transatlantic trade, were able to dispose of their products and obtain the goods from abroad they needed. The pickup and distribution were done principally by Northern shippers, chiefly from Boston, New York, and Philadelphia.

New England "peddlers" were constantly sailing down the coast with a variety of wares, stopping in small bays and inlets that coastal ships usually passed by. New York sent bread and flour to Connecticut, Rhode Island, and Massachusetts, and sometimes to the Carolinas and Georgia, woolens and hats to all the Southern colonies, iron to Massachusetts, and refined sugar to practically all the other provinces. Pennsylvania regularly shipped beer to Canada, and starch, as well as flour and bread, to all the colonies. By 1760 merchants of New Haven owed New Yorkers about £20,000, the debt having been incurred in the coastwise trade.

Sometimes shippers of neighboring ports, such as New York and Philadelphia, owned ships together and bought and sold in cooperative fashion. They also had selling agents in the different colonies. As early as 1716 England realized the importance of this trade; an English economist wrote in that year, "The domestic commerce which those Northern provinces carried on with each other was now nearly equal to that with the parent country." And Peter Kalm, the Swedish traveler, wrote in the middle of the century:

All this afternoon we saw a whole fleet of little boats returning from New York, whither they had brought provisions and other goods for sale, which on account of the extensive commerce of this town, and the great number of inhabitants go off very well.

Still another indication of the importance of the coastwise trade is found in the tonnage figures for 1769: in the coastwise trade, 112,369; in the West Indian trade, 94,916; with Great Britain and Ireland, 90,000; with Southern Europe, 34,151. Perhaps all of these types of trade would have been larger had the currency and credit situation been different.

The Colonial Currency and Credit Problem. Throughout the colonial era money, especially specie or "hard money," was scarce. There were many reasons for this situation. In the first place, despite high expectations, no gold or silver mines were discovered in English territory, and what little specie the settlers brought with them was soon spent in buying necessities of life. Moreover, a majority of immigrants to English America were poor—perhaps half were in-

dentured servants, unable to pay even their passage money—and obviously brought little or no cash with them. There were some exceptions, it is true, particularly among the French Huguenots and the Scottish Highlanders, but most of these did not arrive until the eighteenth century, and what money they had was not sufficient to change the situation. Also contributing to the scarcity of hard money was the English regulation that no bullion or gold or silver coins could be exported from the mother country. The several acts of trade were likewise responsible, for they tended to promote an unfavorable balance of trade with England; thus, whatever specie the colonies might obtain through selling more to the West Indies than was purchased had to go to the mother country to pay English creditors.

In an effort to remedy the problem, the colonies, especially after 1690, resorted to the issuance of paper money or bills of credit. Without proper backing, however, they depreciated quickly in value and drove what little hard money there was out of circulation. And the English government, in response to objections from the local merchant class, ruled that colonial paper must not be made legal tender. In similar fashion, the mother country ruled against the establishment of colonial mints. When the colonies tried to establish fiscal institutions, such as the Massachusetts Land Bank, and allowed them to become little more than "batches of paper currency," England again stepped in with a forbidding hand. As a result, the monetary problem was ever present throughout the colonial period, and, according to some historians, was an important factor in promoting the American Revolution.

Wampum and Country Pay. Without convenient media of exchange, the colonists were forced from the very beginning to do a large share of their business on credit or by some form of barter or exchange. As one writer has said, "Much of the economic life of the colonies could be summed up by saying it represented a complex series of bookkeeping transactions, with a periodic balancing of accounts between debtors and creditors."

But credit was not the answer to the economic problem. The colonists needed a substitute for the scarce hard money. Several colonies made wampum—also called bead money and seawant—legal tender. New Netherland did this in 1634, Massachusetts followed in 1640, and the English did so in New York immediately after its capture from the Dutch in 1664. Naturally, the value of wampum varied. In 1664 "eight white and four black beads" were worth a penny, but nine years later, as an inflationary measure, six white and three black beads were valued at the same amount. Wampum circulated as legal tender more in the Northern colonies than in the Southern.

In other attempts to find a medium of exchange, every colony resorted to the use of commodity money or "country pay." Corn, sheep, cattle, furs, wheat, flour, rice, tobacco, rum, and whale oil were among the most popular items that could be given in payment of taxes, rent, wages, ministers' salaries, college tuition, and many other obligations. Indeed, North Carolina at one time designated more than twenty different commodities that must be accepted in pay-

ment of financial obligations. But "country pay" was not the real answer to the monetary situation either. One of its greatest weaknesses was that this commodity money constantly fluctuated as the law of supply and demand operated.⁶

In Virginia and Maryland, where the usual commodity money was tobacco, there were constant objections to "toting" around this bulky item as "cash." Therefore "tobacco notes" came into use, the colonial equivalent of modern warehouse certificates. The tobacco would be inspected and stored in official warehouses, and notes or receipts issued against the "weed"—normally up to 90 per cent of its value—that were deemed legal tender. Actually, of course, the use of commodity money was a form of barter.

The Quest for Hard Money. Theoretically, English currency—pounds, shillings, and pence—was the standard money in circulation, but there was so little of it available that it was "a medium of expression rather than a medium of exchange." Certainly, there was not enough to meet the colonial demand. Consequently, several assemblies, notably those of New Jersey and North Carolina, talked about coining money of their own, but only Massachusetts took action.⁷ Between 1652 and 1684 she minted the "pine-tree shilling." Because this coin contained only about three quarters of the silver to be found in an English shilling, the colonists believed it would circulate only in America, but even this type of hard money was drained by the unfavorable balance of trade, and in 1684 England stopped the Massachusetts practice.⁸

As trade grew, particularly with the West Indies, a number of foreign coins found their way to the colonies. The most widely circulated was the Spanish milled dollar, popularly called the "piece of eight."⁹ As this coin was minted in several different places in Spain and contained varying amounts of silver, it was valued differently in each colony. In some provinces it was valued at 4s. 8d. (in terms of English currency); in others, it was worth six shillings; in others, 7s. 6d.; and in the remainder, eight shillings. Also contributing to the different valuation was the competition among colonial merchants for this specie, which could be used to pay their obligations to English creditors. This explains the tendency to overvalue these foreign coins in relation to sterling. Naturally, such conditions led to considerable confusion. The same thing happened to other foreign hard money, such as the Portuguese gold pieces (*Johannes* or "Joes"), the Portuguese Crusados, and the French pistole. The "Joe" was normally worth about sixteen times as much as a "piece of eight," and the pistole four times as much.

Not only in the colonies was there confusion over the different values placed

⁶ See pp. 466-468 for one aspect of the Parsons' Cause incident.

⁷ In 1645 the Virginia House of Burgesses voted to coin ten thousand pounds of copper, but the act was never put into effect. In 1661 the Maryland legislature provided for a mint, but never established one.

⁸ When England brought charges against Massachusetts, one of them was concerned with the illegal issuance of these "pine-tree shillings." The subsequent revocation of the Bay Colony's charter ended the right to coin money. See pp. 206-207.

⁹ So-called because it was worth eight Spanish reales.

upon foreign coins, but in England as well. Influential English merchants persuaded Queen Anne to issue a royal proclamation in 1704, which ordered all colonies to peg the "piece of eight" at six shillings, and other foreign coins at a similar ratio, because,

We [have] had under our consideration the different rates at which the same species of foreign coins do pass in our several colonies . . . and the inconveniences thereof . . . and being sensible that the same cannot be otherwise remedied than by reducing all foreign coins to the same current rate within all our dominions. . . .

It was easier to issue this proclamation than to enforce it. Colonists continued to value the foreign hard money as they wished. Therefore, Parliament tried its hand in 1708 by passing "An Act for Ascertaining the Rates of Foreign Coins in her Majesty's Plantations in America," which imposed a heavy penalty upon those who continued to ignore the legal ratio established by Queen Anne's proclamation. Three thousand miles of ocean and colonial needs made this Currency Act just as difficult to enforce as the royal order had been. Consequently, in 1740 all the colonial governors were "required and commanded, under pain of his Majesty's highest displeasure and of being removed from your government, to take the most effectual care for the future that the said Act [of 1708] be punctually and *bona fide* observed and put in execution according to the true intent and meaning thereof." But the governors, more or less dominated by the colonial legislatures, found it impossible to carry out these instructions efficiently. Therefore, the confusion over the valuation of foreign coins continued.

To add to the currency problem, there was considerable clipping of what coins there were in circulation, as well as "sweating" and counterfeiting.¹⁰ In an effort to prevent clipping, coins were eventually milled. Virtually every colony had laws against these practices of debasing the currency, especially against counterfeiting. For example, New York in 1745 provided the death penalty "without the Benefit of Clergy."¹¹

The growing West Indian trade and other foreign commerce led to the use of bills of exchange.¹² A colonial exporter might sell a cargo of lumber in the West Indies. Instead of receiving molasses in exchange, he might accept a draft or bill of exchange on a London merchant. He could either use this draft to purchase goods in England or sell it to some other colonist who would. This medium was of benefit in the transatlantic trade because it obviated the need to transport money back and forth, but it was not used to any extent in inter-colonial commerce.

¹⁰ Clipping was paring the edges of a coin; sweating was removing part of a coin's metal by friction, such as shaking in a bag.

¹¹ See p. 308.

¹² A bill of exchange may be defined as an unconditional written order from one person to another to pay some designated person a certain sum of money. The bill of exchange was equivalent in value to the commodities sold and was easier to carry around than cash; it was also a convenient medium when hard money was unavailable.

The Paper Money Controversy. Wampum, country pay, bills of exchange, and hard money were not adequate to meet colonial business needs. Therefore, starting in 1690, the colonies resorted to the printing of paper money, and thereby suffered from the "disease of currency experimentation." Also, the issuance of paper led to bitter conflict within several of the colonies, and between the colonies and the mother country.

The first paper money was issued in Massachusetts, which put into circulation £40,000 in due bills as a method of paying the expenses of a military expedition against Quebec during King William's War. Before Queen Anne's War was over in 1713, South Carolina (1703), Connecticut, New York, and New Jersey (all in 1709), Rhode Island (1710), and North Carolina (1712) had followed the lead of the Bay Colony. The initial issue in every colony was usually for some sort of military emergency. By the middle of the century all the colonies had their own paper currency.

There were few objections from England to this method of finance, because the purpose was to aid the empire in its wars against France. The situation was different, however, when the colonies, again starting with Massachusetts in the last decade of the seventeenth century, issued paper money to take care of the normal expenses of government. Such paper was called by a variety of names: due bills, bills of credit, treasury notes, and debenture notes were the terms most widely used. Some notes were full legal tender—that is, acceptable in payment of all obligations—whereas others were limited in this respect. In some instances, notably in the Middle colonies, provision was made for redemption within a given period, usually by means of a poll or other tax. In other cases, principally in New England and South Carolina, little effort was made to establish backing for the issues or to plan for retirement of the paper money. Some provinces placed a ceiling on the amounts emitted; others just kept the printing presses in operation. Without proper controls, and lacking the necessary collateral, paper in some colonies naturally depreciated in values. To make matters worse, the valuation of this paper varied, decreasing in direct ratio to the distance from the issuing colony.

New England was one of the worst offenders in circulating irredeemable paper money. As a result, the currency of Massachusetts at one time went down to a ratio of 9 to 1, and that of Rhode Island fell even lower, 23 to 1. New England was closely followed by some of the Southern colonies, notably South Carolina and Virginia, where overemissions resulted in "severe depreciation."

The record of the colonies from New York to Maryland was much more conservative. New Jersey and Delaware controlled their issues so well that their paper currency remained close to par. New York's money likewise continued to be fairly stable, for which the colony was "subject for special commendation." Maryland did not allow her printing presses to run overtime, and it was said that she had "solved the problem of paper currency." Pennsylvania had perhaps the best record for controlled paper. Thomas Pownall declared that "never was a wiser or better measure, never one better calculated to serve the uses of an increasing country." Consequently, in the Middle colonies stable paper re-

ceived the support of the royal officials, the wealthy merchants, and the large landowners, as well as the small farmers and other debtors. Hence, there did not develop in those provinces any local battles between creditors and debtors; both elements realized that such currency, which fluctuated little, was needed in the absence of hard money and other forms of exchange because it helped to promote the growth and material well-being of the community as a whole.

Yet, in areas of unregulated emissions, there did develop strife between creditors, who wanted sound money, and debtors, who desired inflation.¹³ The resulting battles were sectional as well as economic, and, especially in New England, had a political aspect as well. The governors and their councils favored deflation, but the assemblies supported cheap money.

The paper currency issue also led to a pamphlet war in the colonies. Dr. William Douglass of Boston published *A Discourse Concerning the Currencies of the British Plantations in America* (1739), in which he criticized colonial inflation as detrimental to commerce, as well as to the working classes. Commerce, he said, depended on exchange of goods, and only by having a "universal exchange medium" based on silver could a country expect to trade effectively with other nations. As to the working classes, Douglass continued, they could purchase less than half the butter that they could under normal monetary conditions, for their real wages would decline during inflation. He also asserted that the struggle over inflation was leading to disunity, because the colonies were dividing into creditors and debtors. Governor Jonathan Belcher of Massachusetts also upheld deflation. He realized that many businessmen in his colony grew more apprehensive with each increased paper emission. Therefore, he wrote to the Board of Trade in December 1732:

I believe every man of thought and substance is highly thankful that the Assembly are kept from ruining all the estates of the province by issuing out floods of those pernicious bills. At an emission of 50 or £60,000, every man that has outstanding debts sinks at least a fifth part of his capital—the bills growing in three or four months' time of so much less value than before such an emission . . . so that to allow any further liberty of making these bills than for the annual expense of the province, or to extend the calling them in beyond the year in which they are issued, would have a direct tendency to ruin the king's government and people, and would prove a fraud and cheat upon all the merchants of England, who have always large effects in this country.

On the other hand, Benjamin Franklin defended inflation at this time. He said that it was a means of keeping plenty of currency in circulation, attracting artisans to the colonies, raising prices, and lowering interest rates. Another defender of colonial paper currency was Governor William Burnet of New York, who argued that "there is no possible way left to make distant funds provide ready money when it is necessarily wanted but making paper bills. . . ."

¹³ The lines of battle were not always so clearly drawn. Joseph Dorfman, in *The Economic Mind in American Civilization* (1946), I, 142, states: "Contrary to the traditions that historians have perpetuated, a critical analysis of the contemporary literature indicates that the proponents as well as the critics (of paper) were not poor debtors or agrarians, but for the most part officials, merchants, and men of substance and learning in general." Most of the spokesmen he considered were from New England.

But the struggle between inflationists and sound money men was not limited to the colonies. English merchants appealed to their government against colonial paper, especially that which was declared legal tender. They said that they could not redeem such currency when they accepted it in payment of obligations owed them. In 1740 the following instructions were sent to every colonial governor:

And whereas, for preventing the many and great inconveniences in some of his Majesty's colonies . . . by passing laws for striking bills of credit and issuing out the same in lieu of many, the respective governors . . . for the time being have been particularly instructed not to give their assent to or pass any such laws for the future without a clause be inserted . . . declaring that the same shall not take effect until the said act shall have been approved and confirmed by his Majesty. . . .

The growth in power of the colonial legislatures during the first half of the eighteenth century¹⁴ prevented the governors from carrying out these instructions from the mother country. Therefore, in 1751 Parliament took a hand in trying to stem unregulated paper by passing an act directed primarily at the chief culprit, New England. Under this measure no paper currency could be issued as legal tender in payment of private obligations, and such emissions as were outstanding must be redeemed by the colonial governments in strict conformity to the provisions contained in the emitting laws. This act of Parliament did not do away with paper money completely, but only attempted to eliminate the more objectionable features. It placed no barrier in the way of colonial legislatures that issued paper for the "current service of the year" if it was redeemed within two years. Nor did it curb paper issued in wartime. And as the French and Indian War broke out three years after this Currency Act, the English government made no effort to enforce any of its provisions. All of the colonies, as a partial means of financing their part in the war, resorted to larger printings than ever before. Thus, the paper money problem was still in existence in 1763, and it became a factor in promoting the American Revolution.

Colonial Land Banks. Closely associated with the currency problem was that of lending agencies. The extension of credit and granting of loans by wealthy planters and merchants did help many small debtors, but the borrowing of large amounts was a more difficult matter, because capital was generally tied up in commodities or land. Therefore, those wishing to obtain larger loans turned to their respective colonial governments for assistance.

Pennsylvania was one of the first colonies to respond to the requests for credit, and with the best success. Following a depression in 1722, her legislature established a public loan office that could lend up to £200 to anyone who would give a mortgage on his land up to half its value, in addition to a bond and a judgment on his full estate. This loan must be repaid at 5 per cent interest within eight years. So well did this "bank" function that hard times soon disappeared. In 1739 Pennsylvania set up a second lending agency, with similar

¹⁴ See Chapter 15.

interest rates, but with amortization extended to sixteen years. It has been estimated that a total of £80,000 was loaned, and that the colonial income from the bank enabled Pennsylvania to finance itself without resort to direct taxes from about 1730 to 1755. Delaware and New Jersey also had sound land banks, as did New York. When the latter's original bank ended in 1768, there was so great a popular demand for its continuance from all quarters that Parliament passed a special measure to reinstitute it in 1771. Governor William Tryon subsequently reported that half the colony's revenue was derived from this bank.

Massachusetts, on the other hand, followed much the same inflationary tactics she had used in the paper money field. She established in 1740 a complicated plan for the "Land Bank Manufactory Scheme," which issued nearly £50,000 in paper currency with real estate as collateral. The provisions for redemption were vague, thereby causing much protest from the governor and the wealthy merchants, who countered by setting up a "silver bank" that issued notes redeemable in silver after fifteen years. Because these silver notes were more or less sound money, they were driven from circulation by the cheaper land bank issues, and the inflationary notes of the Land Bank continued to depreciate. As a result, the colony was divided still more sharply into creditors and debtors, and the resulting bitterness almost led to armed strife.¹⁵ The opponents of the "Land Bank Manufactory Scheme" also appealed to Parliament, which came to their rescue in 1741 by extending the provisions of the Bubble Act of 1720¹⁶ to America, thereby nullifying the inflationary plan of Massachusetts.

Thus, throughout the colonial period the problem of currency and credit plagued the provinces in America. The colonies themselves could not solve it and, in trying to do so, only succeeded in promoting local bitterness, particularly in New England, between creditors and debtors that continued for many years. When the mother country stepped in to prevent inflation and the use of paper as legal tender, a colonial hostility was aroused that may have played a part in promoting the American Revolution.

¹⁵ One of the chief supporters of the Land Bank was the father of Samuel Adams; a leading opponent was the conservative Thomas Hutchinson. This controversy may have been a factor in the bitterness that Samuel Adams showed toward Hutchinson after 1763.

¹⁶ In 1717 Louis XIV granted to John Law, a Scotsman, and his Western Company the sole right to develop the trade of Louisiana Territory. Law sold thousands of shares of stock to gullible purchasers, but in 1720 the so-called Mississippi Bubble burst, with resulting ruin to the speculators. The English investors appealed to Parliament, which passed the Bubble Act to prevent such "wildcat" schemes in the future.

RELIGION AND THE CHURCH

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Even though a majority of the colonists were never actively affiliated with any organized church, religion played a significant role in actual colonization, as well as in the literature, education, legislation, government, and everyday life of the settlers. Many promoters of colonization—Bradford, Winthrop, Williams, Penn, and others—were eager to establish a “Wilderness Zion,” to carry on a “Holy Experiment,” and to Christianize the Indians. And thousands of plain folk, such as the Puritans, Quakers, and French Huguenots, sought refuge in the New World to escape religious persecution in the Old. The most frequently mentioned motives for the founding of colonies, in charters and in the writings of leaders, were “propagating the Christian faith” and “spreading the gospel among the heathen.”

Most settlers, especially in the seventeenth century, were sincerely interested in religion. The Bible, considered the infallible Word of God, was the most widely sold and read book of the time.¹ Other religious works also had wide circulation, especially the Catechism. Three of the five “best sellers” published in seventeenth-century America were of a religious nature: the *Bay Psalm Book*, Michael Wigglesworth’s *Day of Doom*, and Jonathan Dickinson’s *God’s Protecting Providence*; the others had a strongly religious flavor. Indeed, more than half the books by colonial writers prior to 1700 were in the field of religion and theology, many of them in the nature of religious disputations. Even some of the medical books had such religious titles as *Sudden Death Made Easy* and *The Angel of Bethesda*.

Education in the colonies, as in the Old World, was closely associated with the church. Most teachers were clergymen, lay readers, or candidates for the ministry. In some colonies the pioneer educational agency was the Anglican Society for the Propagation of the Gospel in Foreign Parts, whose missionaries brought with them the first “public libraries,” and whose lay readers were among the first teachers. The clergy took a leading role in founding academies and other schools, most of which confined their teaching to the four R’s (reading, ’riting, ’rithmetic, and religion). The fact that eight of the nine colleges—what is now the University of Pennsylvania was the exception—founded in the

¹ Calvin’s Bible was used at first, especially in New England, but within a few decades the King James version was generally accepted throughout the colonies.

colonial era were sectarian demonstrates the value placed on a trained ministry. Religious teaching also enforced parental discipline. In many colonies, notably in New England, laws provided severe punishments for children who should curse or smite their parents or be guilty of "stubborn or rebellious carriage."

The clergy, though relatively few in number, exerted a powerful influence. In those settlements fortunate enough to have a minister, he was the most honored member of the community. He was frequently adviser not only in matters spiritual, but political and economic as well. No small part of the clergyman's influence lay in his close connection with the state, principally in New England. His election day sermons were heard with deference and respect, and the civil government frequently referred civil matters to church congregations and synods for settlement. Moreover, in the Southern colonies, where the Anglican Church was established by law, its commissioners, as well as parish vestries, exerted considerable political and educational influence.²

Church Discipline. Most churches in all colonies had rules for the guidance of members, violations of which usually met with prompt "discipline." Some sects specifically forbade their members "going to law" with other members before taking "Gospel steps." The most common offenses calling for church discipline were drunkenness, "disputing with members," sexual immorality, and "being out of the way." The church courts settled many family disputes and other cases that today would be tried in an ordinary court of law. Virtually all churches prohibited drunkenness, but they made little headway in their crusade. Near the close of the colonial era Quakers, Moravians, and Mennonites openly denounced slavery, though their members continued to hold human chattels.

The influence of the Bible, and especially of the Mosaic Law, was reflected in the legislation of every colony. "Keeping the Lord's Day" was the objective of scores of New England "blue laws," but every colony enacted measures for this purpose. A Massachusetts statute of 1646 required all those who were not incapacitated to attend worship or be subject to a fine of five shillings. Constables were authorized to "duly make search throughout the limits of their Towns" for absentees and, during church hours, "all Taverners, Victuallers, and Ordinaries" were required to "clear their houses of all persons able to go to meeting." Nearly a century later a North Carolina statute "for the better observation and keeping of the Lord's Day, commonly called Sunday," required that all persons "carefully apply themselves to the duties of religion and piety"; consequently, "no trademan, artificer, planter, [or] labourer" could engage "in hunting, fishing, or fowling" or "use any game, sport, or play," on pain of being fined ten shillings. In many colonies the penalty for swearing or drunkenness on the Sabbath was twice that for such offenses on weekdays.

² The Anglican Church, for reasons explained later, never had a bishop in the colonies. The commissary, who had some of the powers of a bishop, but not the important ones of ordination and confirmation, was the head of the church within his jurisdiction. James Blair, commissary of Virginia for more than fifty years, was at the same time a member of the governor's council and president of William and Mary College.

Church Edifices. To most Americans today the word *church* refers to a place of worship as well as to an ecclesiastical organization. The Puritans, Quakers, and a few other sects in colonial America, however, called their places of worship "meetinghouses."³ To them the term *church* applied only to a congregation of "believers." On the other hand, the Anglicans and several other religious groups used the word *church* with reference to their places of worship as well as to the organization. On June 21, 1607, the Reverend Robert Hunt celebrated the first communion of Englishmen in America:

We did hang an old sail to three or four trees to shade us from the sun, our walls were rails of wood nailed to two neighboring trees. This was our church till we built a homely thing like a barn. Yet we had daily Common Prayer morning and evening, every Sunday two sermons, and every three months the Holy Communion, till our minister died.

In some early settlements religious services were held in private homes until church buildings were constructed. In many communities, however, edifices for worship were built within a short time. Like the homes of the people, the size, style, building materials, and interior furnishings of these structures varied from time to time and from locality to locality. They also reflected the national background, religious views, and wealth of their builders.⁴ Most church edifices of the seventeenth century were crude, simple, wooden buildings. The typical Puritan meetinghouse was a square wooden affair with hipped roof, "surmounted if the church could afford it, with a belfry containing a bell." Later, most of these "bare and square" structures were replaced by a rectangular meetinghouse, with a tall spire—a continuing characteristic in New England.

The interiors of most meetinghouses and churches were plain, with high pews, and, until about the middle of the eighteenth century, usually lacking in heating and lighting facilities. Small foot stoves were frequently carried to meeting, principally for "the comfort of women and children."

In the eighteenth century larger and more pretentious churches, many of them of brick or stone and built in the form of a cross—reflecting the influence of the noted English architect Sir Christopher Wren—were to be found in Anglican communities, especially in the Southern colonies and in New York, Boston, Philadelphia, and other cities.⁵ Perhaps the outstanding example of "English Gothic" was Trinity Church in New York City, which was described as "not only having beauty of composition, sureness and correctness of form, but also richness and charm of Gothic detail then unknown in this country." It was 148 feet long and 72 feet wide, with a steeple 175 feet high. It was

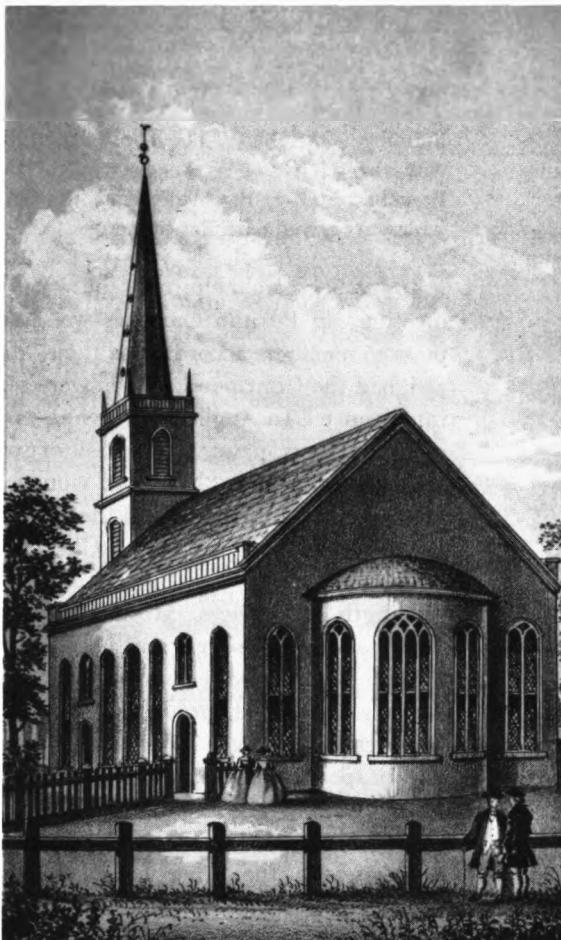
ornamented beyond any other Place of public worship amongst us. The Head of the Chancel is adorned with an Altar-piece, and opposite to it, at the other End of the

³ Richard Mather wrote that he "found no just ground in Scripture to apply such a trope as church to the house for public assembly."

⁴ Many churches were named for the largest donor, for the man who gave the land on which they were erected, or, more frequently, for the location. Many Baptist churches, for instance, were named for a creek, river, or other body of water near which they were built for convenience of baptizing.

⁵ Among the finer churches were Bruton Parish, Williamsburg; Christ Church, Philadelphia; King's Chapel, Boston; and St. Michael's, Charleston.

Trinity Church, New York City. (From Valentine's *Manual*, 1859, Courtesy of The New-York Historical Society, New York City)



The interior of St. Thomas Church, Bath, North Carolina. (Courtesy of University of North Carolina Press)



Building, is the Organ. The Tops of the Pillars, which support the Galleries, are decked with the gilt Busts of Angels winged. From the Cieling are suspended two Glass Branches, and on the Walls hang the Arms of its principal Benefactors. The Allies [aisles] are paved with flat Stones.

In many colonial churches the worshippers sat in assigned pews. "Seating the meeting" in Puritan churches was handled by a committee, which allocated pews to members according to their "dignity." Deacons and elders were usually assigned the front pews; others were seated according to "property, virtue, and intelligence." In Anglican churches, as well as in the more aristocratic churches of several sects, pews were rented or sold. The Dutch Church in New York resolved in 1729 that "Men and women shall sit separately, men by themselves, and women by themselves in the same manner as hitherto in our Old Church; and as usual in all the Dutch Churches in Holland."

Length of Services. Most colonial church services were long, though the stories about three-hour and four-hour sermons have been exaggerated. Sometimes the prayers were about as long as the sermons, and, in Puritan services the congregation stood throughout the prayers. The Reverend Nathaniel Ward of Massachusetts wrote: "We have a strong weakness in New England that when we are speaking we know not how to conclude: we make many ends before we make an end." And Cotton Mather recorded that when he was ordained, he prayed about an hour and a quarter and preached about an hour and three quarters. On the other hand, John Cotton, the "Puritan Priest," seldom preached more than an hour. In Anglican churches the services lasted not more than an hour and a half, and the sermons were short, frequently in the nature of "moral essays." There was little music in most churches, although considerable attention was given to singing psalms.⁶

Leading Denominations. National origins and inherited religious beliefs profoundly affected the development of religion and sectarianism in early America. The bulk of seventeenth-century settlers were English, largely Anglican in the South and Puritan in New England. The Middle colonies had the greatest variety of religious sects, a result of the national diversity of their population, the absence of an established church, and the liberal policy of their governments, especially that of Pennsylvania. An Anglican clergyman complained that "Africa is not more full of monsters than Pennsylvania is of sects."

The flood of immigration of "dissenting Protestants" in the next century resulted in the growth of many new sects. The Scotch-Irish and Highlanders were predominantly Presbyterian. The largest and most powerful sects among the

⁶ Church organs were called "the devil's bag-pipes" and were reminiscent of Roman Catholicism. This opposition to instrumental music in churches gradually broke down, and by the middle of the eighteenth century some of the New England churches had pipe organs. For a refutation of the idea that Puritan churches had no music, except psalm singing, see Percy A. Scholes, *The Puritan and Music in England and New England: A Contribution to the Cultural History of Two Nations* (London, 1934).

Germans were the Lutheran, Reformed, and Moravian, though there were some Dunkards, Mennonites, and other "Pietists" among their "plain people." The Dutch were largely of the Reformed, Lutheran, and Catholic faiths. Most of the French were Huguenots. The Quakers included people of various national stocks, but they were principally English and Welsh. The Baptists, perhaps more than any other denomination, "cut across national lines" and had less connection with the Old World than did other religious groups. The earliest "Methodist societies" were perhaps largely of English stock.

The idea that religious obligations and duties should be enforced by civil authority was strong in the seventeenth century, though many settlers had not liked the particular state church they had known in the Old World, and many came to look with disfavor on the "establishments" in some colonies.⁷ In early Virginia, Massachusetts, and several other colonies laws were enacted to support an established church by taxes, to compel church attendance, and to forbid the worship of dissenting sects. After the passage of the English Toleration Act in 1689 no colony passed such rigid laws in this respect. But the idea of an established church remained, and some type of state church was to be found in all five Southern colonies, as well as in three New England provinces: Massachusetts, Connecticut, and New Hampshire.⁸

The Anglican Church. The strength and influence of the Anglican Church varied from colony to colony and from time to time within each colony. It was strongest in Virginia, where it was from the beginning established, first by charter, then by legislation, as the state-supported church. It was also powerful, at times, in Maryland and South Carolina, but always relatively weak in North Carolina and Georgia. It was originally alien to New England, but was forced on Massachusetts following the revocation of its charter (1684) and the creation of the Dominion of New England,⁹ and it gained a foothold in Connecticut through "peaceful penetration."

In the eighteenth century Anglican churches were to be found in every New England colony, especially in towns, but Anglicanism never became powerful in the region. Perhaps its development along "high church lines," in contrast with the "low church" tendencies in the Southern colonies, made it unpopular with most New Englanders, the majority of whom preferred the Congregational or Presbyterian communions.

Futile efforts were made by several New York and New Jersey governors to

⁷ M. W. Jernegan wrote that in Virginia and Massachusetts "existed privileged classes who had formed a church establishment in part because they feared that religious toleration would undermine and weaken their political power. . . . The union of church and state was a plan to make the civil and religious powers support each other for their mutual interest."

⁸ The Congregational Church in these New England colonies was not "established" in the same way as the Anglican Church in the South. There the government levied taxes to support religion, leaving to the individual taxpayer the right to designate the church to which he wished his contribution to go.

⁹ King's Chapel, Boston, completed in 1696, was the first Anglican church in New England.

have the Church established in their provinces. Nevertheless, most towns in these two colonies had Anglican churches after 1700, the first significant one being Trinity Church in New York City, begun about 1695.

The Anglican Church drew most of its support from the aristocracy; it was never popular with the masses in any colony.¹⁰ There were various reasons for its weakness and unpopularity. It had been established by royal or proprietary governments and had a close relation to them, and non-Anglicans resented its support by public taxes, its control of education, and such special privileges as that permitting only Anglican clergymen to perform the marriage ceremony. The forms and doctrines of the Church, its aristocratic outlook and apparent lack of interest in the common people, its failure to emphasize preaching,¹¹ the poor character of some of its clergy, and its absence of emotional appeal met with popular disfavor, especially in the eighteenth century.

The Anglican Church also had a fundamental weakness in the lack of a resident bishop in the colonies. Supervision, always inadequate, was exercised first by the Archbishop of Canterbury, and then, after 1675, by the Bishop of London. An episcopal organization that had no bishop to confirm members, ordain ministers, and discipline the clergy was an anomaly—a church without a head—and it handicapped Anglicanism in many ways. The Reverend Joseph Doddridge wrote in 1751: "For a Bishop to live at one end of the world, and his Church at the other, must make the office very uncomfortable to the Bishop, and in a great measure useless to the people." Proposals by some Anglican leaders in both England and America to send one or more bishops to the colonies never met with general favor, even among Anglicans, and they evoked strong protests from "dissenters," who considered them an "ulterior design dangerous to liberty."¹²

About the beginning of the eighteenth century the Church adopted the policy of sending commissioners to the colonies, but these officials did not have the power to confirm members or ordain ministers. Despite the fact that James Blair in Virginia and Thomas Bray in Maryland were able and energetic, the office of commissary was a poor substitute for a resident bishop.

The parish, created by action of the legislature, was the unit of church government and, to some extent, especially in Virginia, of all local civil govern-

¹⁰ A 1701 report listed forty-three thousand Anglican communicants for all the colonies. Virginia had twenty thousand; Maryland, twenty thousand; New York, one thousand; New England, seven hundred; Pennsylvania, seven hundred; North Carolina, five hundred; South Carolina, five hundred; and New Jersey, four hundred.

¹¹ Sermons were generally read in a "cold, unanimated manner." According to the Reverend Devereux Jarratt, they usually dealt with "fine painting of moral virtue" and "insipid speculations," rather than with the fundamental doctrines of the gospel. Charges of immorality, card playing, drunkenness, profanity, avariciousness, and quarrelsome ness were brought against a large number of Anglican ministers. The majority of the clergy, however, were consecrated, hard-working, and upright men.

¹² "The claim of a right to establish a Bishop of England and Episcopal courts without the consent of the colony" was one of the "Grievances" listed by a Boston town meeting in November 1772. Several Presbyterian and Congregational synods officially opposed the "establishment of an American episcopate." Ezra Stiles, president of Yale, wrote that he was "alarmed by the rise of wickedness and episcopacy."

ment. The vestry, as the governing body of the parish, had authority to levy taxes for religious support, erect church buildings, inquire into the moral conduct of church members, employ ministers, and care for the poor of the parish.¹³ The upper class dominated the vestry and thus exerted great influence in social and political affairs. In some colonies, notably Virginia, the vestry was frequently at odds with the royal governor, and many leaders in the movement for independence had been leaders in this fight.

Missionary Activities of the Anglican Church. Perhaps the most significant activity of the Anglican Church in the eighteenth century was its missionary work, particularly that of the two societies usually known as the S.P.C.K. and the S.P.G.¹⁴ These two organizations, both founded under the leadership of the Reverend Thomas Bray, were a product of the "religious society" movement developing in England around the turn of the century—there were more than forty such societies in London alone—as a reaction on the part of Church leaders against the general religious apathy in England and her colonies.¹⁵ When the S.P.G. was organized, there were only about fifty Anglican ministers in America, most of whom were in Virginia and Maryland. Between 1702 and 1785 (when it withdrew from the United States as a mission field), the S. P. G. sent to the colonies some three hundred missionaries and more than twenty schoolmasters, at a total expense to the Society of £227,454.¹⁶

Some of the greatest names in American church history are to be found among these missionaries, including Elias Neau, who established a Negro school in New York City (1704); Charles Inglis, rector of Trinity Church in New York City and later the first bishop in Nova Scotia; William Smith, later the first provost of the University of Pennsylvania; and Clement Hall of North Carolina, who traveled over fourteen thousand miles and baptized ten thousand persons between 1744 and 1755.

Through Bray's efforts many "parochial libraries" were sent to the colonies;

¹³ At first, the vestries in Virginia were elected by the church congregation, but later they became self-perpetuating and, therefore, "irresponsible oligarchies." In North Carolina the vestries were also self-perpetuating boards; in Maryland and South Carolina they were elected by vote of the church congregation, though sometimes by the freeholders of the parish.

¹⁴ The Society for the Promotion of Christian Knowledge (1698) was an agency for the publication and distribution of religious books. John and Charles Wesley went to Georgia under the auspices of the S.P.C.K. The organization is still in existence. The Society for the Propagation of the Gospel in Foreign Parts, also known as the Venerable Society, organized in 1701 and likewise still in existence, is obviously not functioning in the United States.

¹⁵ Early zeal for Christianizing the American Indian had abated, the witchcraft hysteria in Massachusetts had apparently hurt organized religion, and by 1700 the percentage of colonists belonging to some church had declined considerably.

¹⁶ Eighty-four missionaries were sent to New England; fifty-eight to New York; forty-seven to Pennsylvania and Delaware; forty-four to New Jersey; fifty-four to South Carolina; thirty-three to North Carolina; thirteen to Georgia; five to Maryland; and two to Virginia. Half of the salaries of these missionaries was to be paid by the colony and half by the S.P.G. In addition to their work among the whites, these missionaries also went among the Negroes and fourteen Indian tribes. They used eight different languages.

the one to Maryland contained more than a thousand volumes, and the first "public library" in North Carolina was the work of the S.P.G. By 1757 the organization had sent more than 130,000 Bibles and Prayer Books. It also donated fifteen hundred volumes to King's College, made two gifts of books to Harvard, and gave many theological works to Yale.

The Congregational Church. Puritanism was the dominant force in New England religion and politics. From the beginning in Plymouth and Massachusetts, churches were founded in "the congregational way"; each individual congregation governed itself and was joined with others of similar belief only by a loose confederation. For many years the Congregational Church was closely connected with the government, and in all New England colonies except Rhode Island it was the established church. Laws were enacted for compulsory support and attendance, bans were placed on other church services, and suffrage and officeholding were restricted to church members. Even manners, morals, and habits were regulated by statute.

The first colonial synod or council of Congregational churches was held in 1637 at Cambridge, Massachusetts. It dealt with the case of Mrs. Anne Hutchinson and also discovered some eighty "damnable heresies" and ill opinions. The second synod (1648) approved the Westminster Assembly's Confession of Faith (based on Calvin's teachings) and adopted the Cambridge Platform, "the first ecclesiastical constitution for American Congregationalism."¹⁷ This document, written by Richard Mather, father of the more famous Increase Mather, defined the principles of the Congregational Church, affirmed the independence of local churches, and yet declared the fellowship of all churches. According to the Cambridge Platform, the Church consisted of "proved saints" who "walk in blameless obedience to the word" and "the children of such who are holy." Only the elect were permitted to sign the covenant of the Church and thus enter into full membership. Congregationalists believed that Christ is the immediate head of each church. Acting under direct guidance of the Holy Spirit, it chose its own officers and administered its affairs and discipline. The fundamental tenet was that each congregation under Christ is complete in itself. Therefore, there was no need for a hierarchy of presbyteries, bishops, or other directing agencies. A synod of 1662, attended only by representatives of the churches of Massachusetts, adopted the "Half-Way Covenant," by which requirements for church membership were relaxed in order that certain civil privileges might be obtained by those who had neither the ability nor willingness to make profession of religious experience. Such persons were admitted if they were baptized, but were denied the sacrament of the Lord's Supper and the right to vote in church meetings. This Covenant aroused much controversy, and was later opposed by Jonathan Edwards and other leaders of the Great Awakening.

The synod of 1680, frequently called the "Reform Synod," enumerated the

¹⁷ This was the only "general council" of Congregational churches in America prior to 1852.

evils that had "provoked the Lord to bring his judgments on New England."¹⁸ Among the most conspicuous were pride and contentiousness, profanity, Sabbath-breaking, neglect of the church, laxity in family discipline and irregularity in family worship, intemperance and the frequenting of taverns. This synod also adopted a Congregational Confession of Faith, based upon a revision and modification of the Westminster Confession of Congregationalists in England, possibly in order to combat the influence of Presbyterians, who believed in more centralized church organization and government.¹⁹

The Congregational Church remained the dominant one in New England throughout the colonial era, but its influence was gradually weakened by a number of developments: opposition to the "Half-Way Covenant," the growth of Presbyterianism, the rise and spread of the Baptists, especially in Rhode Island, increasing opposition to the basic type of Puritanism advocated by Increase Mather ("the last of the Puritans"), and, perhaps more than any other cause, the revulsion against the Salem witchcraft trials.

Congregational Missionary Work. The Congregationalists were interested from the beginning in converting the Indians. Ministers in early Plymouth found time to spread the gospel among neighboring tribes, and the Mayhews of Massachusetts Bay were active in Christianizing the Indians of Martha's Vineyard and other islands off the coast.

It was John Eliot, however, who contributed most. Following his arrival in Massachusetts in 1631 to be a minister at Roxbury, he studied the several Indian dialects of the vicinity. By October 1646 he was able to preach to the Indians in their own language. The members of the Massachusetts legislature were prompt to persuade other local clergymen to "make known the heavenly counsel of God among the Indians." Eliot sent to England a narrative of these activities, which was published in 1647 as *The Day-Breaking, if not the Sun-Rising of the Gospell with the Indians in New England*. Two years later the enthusiastic Parliament chartered "A Corporation for the Promoting and Propagating the Gospel of Jesus Christ in New England."

With the help of money raised by this organization, Eliot and others in New England promoted a number of towns for Christian Indians, the most prominent of which was Natick. Eliot also printed the catechism in the Indian tongue in 1653, the first book in the language of the Massachusetts Indians. This was followed by many other works intended for their religious education. The outstanding publication was Eliot's translation of the Bible (1661–1663), which was sponsored by the reorganized Society for the Propagation of the Gospel in New England.

Despite its setback during King Philip's War, missionary work among the Indians continued up to the American Revolution, with such men as the

¹⁸ King Philip's War had just ended.

¹⁹ In the Saybrook Platform (1708) the Congregationalists of Connecticut adopted a Presbyterian type of church government.

Mathers, John Sergeant, Jonathan Edwards, and Eleazer Wheelock in the foreground.

The Witchcraft Trials. The missionary work among the Indians was an indication of the desire of Congregational leaders to extend their faith. Another trend, that of keeping control in the hands of the aristocracy, proved in the long run to be detrimental to Puritanism because one phase of it spread the fear of witches and witchcraft.

Seventeenth-century Europe witnessed many witchcraft epidemics, during the course of which hundreds of thousands of suspects were put to death. In England, King James I was a believer in the supernatural, and numerous books on the subject were printed, such as Mathew Hopkins' *Lawes against Witches* (1645) and *Discovery of Witches* (1647).

Naturally, many colonists brought with them this fear of the supernatural, a fear that was augmented in a strange land filled with mysterious forests and Indians who practiced what the settlers thought was a form of witchcraft through their medicine men. As a result, practically every colony had laws against witches, who were defined as "he or she that consorteth with an evil spirit." The Bible was used to substantiate these measures, for Exodus stated: "Thou shalt not suffer a witch to live."

Although there were witchcraft cases in many of the colonies, New England, with its intolerant leaders, was the center. The first wave of persecution (1647-1663) was brought on by importation of books on the subject from England and resulting sermons stressed the terrors the people would suffer in the next world if they did not confess their associations with the Devil. At least fourteen persons were put to death in Connecticut and Massachusetts alone during a time of frenzy when the inhabitants were persuaded by the clergy to inform about the "evil" acts of their neighbors. Not until Mrs. Ann Hibbins, the widow of a prominent official and a widely respected member of the community, suffered the extreme penalty in 1656 did this epidemic cease. Unfortunately, during the course of the trials confessions were wrung from suspected witches by such means as keeping the suspects awake for days at a time, and the judges, under the thumb of the clergy, assumed the truth of the guilty charge before any evidence was submitted.

In 1684 Increase Mather helped to revive the witchcraft controversy by publishing *An Essay for Recording of Illustrious Providences*, which was so well received that it went through three editions within a year. Shortly after, Cotton Mather used his observations of a young girl, suspected of "consorting with the Devil," to write the *Wonders of the Invisible World*. These books, plus the exhortations of the clergy, brought on another epidemic (1688-1693) more widespread and serious than the first. Salem was the center of the furor, but throughout New England hundreds of suspects were thrown into jail on the flimsiest of charges. Families were in constant terror, not knowing when some neighbor, fearful that he, too, might be accused, would bring the first accusation.

At least nineteen persons were put to death, usually by hanging, before the New Englanders came to their senses. One factor was the realization that there just could not be so many witches in so small an area.²⁰ Another reason was that the clerically dominated judges would not find prominent Puritans guilty. The "common man" then concluded that there was no basis for the frenzy and that the Congregational clergy were responsible in their desire to maintain the upper hand.

This feeling was strengthened when Judge Samuel Sewall, who had handed down the death sentence in many cases, publicly apologized in 1697 for his shameful part in the affair, and when in the same year the Massachusetts General Court announced its repentance. As additional proof of the insanity of the witchcraft furor, in 1711 the heirs of the Salem martyrs were voted compensation for their losses, a form of pardon that came too late.

The Presbyterian Church. The Presbyterian Church in America is largely a product of the eighteenth century and owes its origin to "the mingling of English Puritans with Scotch and Scotch-Irish Presbyterians." As late as 1700 there were only twelve formally organized Presbyterian churches in the colonies,²¹ but there were many individual Presbyterians, as well as a large number of "germinal Presbyterian churches." Although in religious doctrine Presbyterianism was quite similar to Congregationalism, both being basically Calvinistic, the two differed in church organization and government. There was little local autonomy among the Presbyterians, who were under the jurisdiction of a select body of presbyters or elders. Other outstanding traits of this faith were its inter-colonial character and its emphasis upon a trained ministry.

The large influx of Scotch-Irish and Highlanders in the eighteenth century and their settlement in every colony gave Presbyterianism its greatest impetus. Perhaps more than any other sect in America, these Scottish Presbyterians built a church within a short time after they settled. Also, because of the emphasis on a trained ministry, Presbyterians became leaders in establishing schools and academies in many colonies; thus, the church probably exerted an influence out of proportion to its numbers.

Francis Makemie has been called the "father of American Presbyterianism." This merchant and minister, a native of Donegal, Ireland, came to America in 1683. He preached and established churches in many colonies, and in 1706 helped organize the Presbytery of Philadelphia—the first American presbytery—and became its first moderator. In 1716 the Synod of Philadelphia was established, with four constituent presbyteries (New York, Pennsylvania, Delaware,

²⁰ There were then eight persons under sentence of death, fifty who had confessed under pressure awaiting sentence, 150 in prison, and two hundred more accused but not as yet arrested.

²¹ There were five in Maryland, two in Virginia, two in New Jersey, and one each in Pennsylvania, New York, and South Carolina.

and Maryland) representing a total of twenty-five churches.²² In 1729, under the Adopting Act, the Church formally accepted the Westminster Confession and Catechism.

The Baptists. The Baptist Church had its American beginnings in Rhode Island, a colony that stood for two cardinal principles: liberty of conscience and separation of church and state. It is difficult to say, however, whether the first Baptist church was at Providence or Newport. In March 1639 Roger Williams repudiated the baptism he had received in infancy, was immersed by Ezekiel Holliman, and then in turn he immersed Holliman and eleven others. Many have claimed that this was the origin of the Baptist Church in America.²³ About the same time, another church was established at Newport, under the leadership of John Clarke, physician, teacher, and "the most important Baptist of the century in which he lived." Rhode Island continued to be the chief New England stronghold of this sect, but within a few decades the "anabaptist heresy," as the Puritans called it, had spread into Massachusetts, Plymouth, and other areas.²⁴

Baptists were persecuted more than any other sect in New England. Only in Rhode Island did they enjoy toleration. Not until 1708 could they have their own houses of worship in Connecticut. In Massachusetts they were denounced as "incendiaries of the commonwealth," and many of their preachers and members were whipped, fined, or otherwise persecuted. The leaders of the Bay Colony had no serious objection to the rigid Calvinism of the Baptists or to their congregational form of church government, nor did they object strenuously to the idea of immersion. But the opposition of the Baptists to infant baptism and their advocacy of separation of church and state made them anathema to Puritan leaders.²⁵ In the Bay Colony, where church (Congregational) membership was a qualification for voting, the Baptist

principle of making infant baptism a nullity, . . . doth make at once all our churches, and our religious civil state and polity, and all the officers and members thereof to be unbaptized and to be no Christians and so our churches to be no churches; and so we

²² The Synod did not include the churches south of Maryland nor those in New England, but in both sections independent presbyteries were organized; the first one in South Carolina was established in 1722, the first in New England eight years later. By 1775 there was a New England Synod, representing three presbyteries and fourteen ministers.

After 1740 the Philadelphia Synod, representing "new side" doctrines, and the New York Synod, championing "old side" beliefs, carried on intensive missionary work in the Southern colonies. The first presbytery in Virginia (Hanover) was organized in 1755; the first one south of Virginia was established in Orange County, North Carolina, in 1770 and included all the Presbyterian churches of the Carolinas.

²³ Williams' connection with the Baptists was limited to about four months, after which he withdrew from that communion and became a "Seeker."

²⁴ In 1665 the first Baptist church was organized in Boston, but its members were repeatedly fined and imprisoned. A Baptist church in Boston, erected in 1679, was closed by order of the General Court.

²⁵ Baptist historians have denied that the early American Baptists had such Anabaptist views as the opposition to infant baptism, but the fact remains that some Baptist spokesmen did oppose the baptism of infants.

have no regular power to choose deputies for any General Court, nor to choose any magistrates.

Persecution of Baptists in Massachusetts and elsewhere in New England had virtually ended by 1700. The Massachusetts charter of 1691 granted "liberty of conscience to all Christians, except Papists," but the taxation of dissenters for the support of the Congregational ministry continued until 1728. Even after this persecution ceased, the Baptist Church made little headway in New England until the Great Awakening. In 1740 there were only twenty-two Baptist churches in all New England, exactly half of them in Rhode Island.

In the Middle colonies, where freedom of conscience prevailed and there was no established church, Baptists flourished from the beginning. Pennsylvania became the chief stronghold, as it was of the Presbyterians, Quakers, Lutherans, Moravians, and a number of minor "dissenting sects." By 1700 Philadelphia had become the strongest Baptist center in the colonies.²⁶ The first association of Baptist churches in America was organized in that city in 1707. Within fifty years the Philadelphia Association sent scores of missionaries into all the Southern colonies. The greatest expansion of the Baptist Church in the South came after 1750, however, with the coming of the Separate Baptists, who emphasized the "doctrine of the new birth," "believer's baptism," "free justification," and the autonomy of each congregation.²⁷ The Sandy Creek Church in central North Carolina was founded in 1755 by the Reverend Shubal Stearns, who had recently arrived with eight families from Boston. Within a few years this rural church, "the Mother of all the Separate Baptists" in the South, had a membership of over six hundred.

By the close of the colonial period, the Baptists of one variety or another had come to be one of the largest church organizations in America. Their democratic organization and government, their local autonomy and belief in religious liberty, and their opposition to any established church had a strong appeal among the common people. Though it is true the Baptists never became strong in many towns, they were very prominent in rural America.

Other Faiths. Perhaps three fourths of the church communicants in the colonies belonged to one of the four above-mentioned denominations, but there were many other faiths. The Dutch Reformed Church, largely Calvinistic in belief, was strongest in the New York area.²⁸ The Quakers, whose beliefs have been discussed earlier, were most numerous in Pennsylvania and New Jersey,

²⁶ The Baptists were particularly strong among the Welsh settlers, and as a result of the 1692 schism of Quakers between Penn and George Keith, the "Keithans" or Baptist Quakers added to Baptist strength.

²⁷ The early American Baptists were "General Baptists" and were largely Arminian. After 1707 the "Particular Baptists" emphasized "particular election" and other Calvinist doctrines. The "Separate Baptists" had nine rites: baptism, the Lord's Supper, love feasts, the laying-on-of-hands, washing feet, anointing the sick, the right hand of fellowship, the kiss of charity, and "devoting children." They also emphasized "weekly communion" and evangelism. Some of the Separate Baptists also held camp meetings.

²⁸ A synod of ministers and elders (coetus) was organized in 1747.

but there were also many in Rhode Island and North Carolina.²⁹ Among the German settlers the three predominant churches were the Lutheran, Reformed, and Moravian. These three were strongest in Pennsylvania, with offshoots in the back country areas of the South.³⁰ The Moravians were the least numerous and were found chiefly in the vicinity of Bethlehem, Pennsylvania, and Salem, North Carolina. Many Pietist sects, such as Dunkards, Mennonites, and Shakers (founded in America by "Mother Ann" Lee in 1774), were also found among the Germans. Generally speaking, they all believed that the average mortal might commune directly with God and be guided by divine revelation. Holding to that belief in direct guidance, these "radical faiths" also advocated social equality and salvation through pure living. The Pietists refused to pay taxes to support established churches and, like Quakers and Moravians, opposed military service, denounced slavery, and refused to take oaths before testifying in court.³¹

The Methodist Societies. The Methodists were the last Protestant sect to appear in the colonies. Methodism originated as a reform movement within the Church of England, and it had no organization as a distinct church until after the American Revolution. Several "Methodist" preachers, however, visited the colonies to spread the doctrines of the "Methodist Society" to "the dear Americans," as John Wesley called his followers. Scores of these "societies" were organized (the first was by Philip Embury in New York in 1766), and some Methodist "circuits" were created, but it was not until 1784 that the Methodist Episcopal Church was formally established at Baltimore, with Francis Asbury and Thomas Coke chosen as Superintendents.³²

The Catholics and Jews. Roman Catholics were not numerous in colonial America. To the Protestants, anything that savored of "popery" was anathema. Many Anglicans hated the Roman Church because they thought it was attempting to dominate the Church of England and bring it back into the fold. The other Protestant groups, whose religious beliefs and rituals were far more re-

²⁹ Two large settlements of Quakers were made in North Carolina, one coming from New England, the other from Pennsylvania.

³⁰ The first Lutheran synod was organized in 1748, under the leadership of the Reverend Heinrich Muhlenberg, "patriarch of American Lutheranism." About the same time Michael Schlatter, "founder of Reformed Churches," organized a coetus or synod. As Muhlenberg and Schlatter were close personal friends, the Lutherans and Reformed frequently built "union churches."

³¹ The Dunkards were also called German Baptists. Their distinctive features were trine (triple) immersion, pacifism, and love-feasts. The Ephrata Cloister, an offshoot of this church (1732), stressed monastic life, chastity, and the seventh-day Sabbath. The Mennonites, whose first American leader was Francis Daniel Pastorius, advocated adult baptism, pacifism, religious liberty, and separation of church and state. The Amish Order was a conservative branch of the Mennonites. Pastorius soon became a Quaker.

³² The "pernicious doctrines" of the Methodists were particularly unpopular with the Anglicans. An Anglican minister in North Carolina wrote in 1761, "The Methodists of late have given me a great deal of trouble . . . by preaching up the inexpediency of Human Learning & the practice of moral virtue & the great expediency of Dreams, Visions & immediate Revelation."

moved from Catholicism than were those of the Anglicans, associated Catholicism with much of the persecution that had forced them or their ancestors to come to America. Evidence of the general fear of "papists" manifested itself repeatedly, particularly in New England, Maryland, and to a lesser degree in New York at the time of the Glorious Revolution. The Protestant fear of Catholicism continued until the outbreak of the American Revolution and showed itself clearly in the opposition to the Quebec Act of 1774. In no colony were Catholics near a majority, and many colonies banned all Catholic religious activity; some even refused to admit any "papists." Pennsylvania and Rhode Island were about the only colonies that allowed public worship by Roman Catholics.

Jews were also few in the colonies, coming mainly from Brazil and Portugal, and were found chiefly in Newport, New York, Charleston, Savannah, and other coastal towns. There were few laws against them and little interference with their religious services in the eighteenth century. There is still disagreement about when the first synagogue was established: some assert that there was one in New York City as early as 1691, others claim that it was not built until 1729 in that city, and still others declare that Newport was the site and give 1749 as the date the structure was begun. Synagogues were also built in Charleston and Savannah before the Revolution.

The Great Awakening. The most significant and far-reaching religious development in colonial America was the revival movement known as the Great Awakening.³³ It was "America's share in the general reaction against the relatively dead, formal orthodoxy of state churches, which in Germany appeared as Pietism and in England as Methodism." Like other great movements, it had a variety of causes and numerous leaders. Contrary to popular view, it did not originate with the preaching of Jonathan Edwards at Northampton, Massachusetts, in 1734, but rather with the Pietist sects in New Jersey about 1720, under the leadership of the Reverend Theodore J. Frelinghuysen.³⁴

There are many reasons why the colonists were ripe for the emotional preaching that characterized the revival movement. In most seventeenth-century colonies, church membership was a highly selective matter, and as a result, organized religion was controlled by the chosen few. As most churches catered to the upper classes, there was an increasing demand for a type of theology and a less formal kind of preaching that would take into account the needs of the common folk. There was also a growing awareness on the part of church leaders, especially in New England, of the decline of religion; people were turning away from the faith of their fathers and "cooling off" toward all religion. As early as 1688 Increase Mather wrote that "Clear, sound conversions are not

³³ Professor W. W. Sweet considers the colonial revivals as three distinct movements; therefore he uses the term *Great Awakenings*.

³⁴ Professor Sweet has shown that Edwards was not the "father of the revivalistic type of Protestantism in America," and that he was not even a "revivalist" in the usual sense of that term, for he delivered "public addresses" rather than extemporaneous sermons.



George Whitefield. (Painting by John Wollaston, Courtesy of The National Portrait Gallery, London)

frequent. Many of the rising generation are profane drunkards, Swearers, Lascivious and scoffers at the power of Godliness."³⁵ These causes of religious apathy and unrest were present to a lesser degree in other areas, but in the Middle colonies particularly the successive waves of the "new immigration" were perhaps the most impelling motive for the revivals and the renewed interest in organized religion.

The New England "awakening" was limited largely to the Congregationalists; Baptists and Anglicans did not actively participate, but they profited indirectly. In the Middle colonies Presbyterians were the most active, though other sects were involved and were affected by it. In the South the "great revival" was more interdenominational in nature, and was especially significant among Presbyterians, Baptists, and the soon-to-be-formed Methodist societies.

Although not the first in point of time, Jonathan Edwards was the best-known and most brilliant leader of the Great Awakening.³⁶ A graduate of Yale and a Congregational minister at Northampton for twenty-three years, he "made seeking salvation the main business of my life." In strict Calvinist fashion, he preached that God was a pitiless being before whom man was helpless; that God rejoiced in suspending man "over the pit of Hell much as one holds a spider or some loathsome insect over the fire." The only way God could

³⁵ New England clergymen preached on such themes as "The Perils of the Times Displayed" and "The Decay of Love to God in Churches, Offensive and Dangerous."

³⁶ His *Freedom of the Will* (1754) was an important work in philosophy. He was president of Princeton at the time of his death.

be appeased was by confession of sin and individual announcement of unworthiness in His eyes. Then the penitent one must proclaim his fear of eternal punishment, with the hope of God's pardon.

In 1739 George Whitefield, the great English oratorical preacher "who could make Hell so vivid that one could locate it on an atlas," came to America. Thousands thronged to hear him preach in hastily prepared buildings, even in groves and fields—more perhaps than listened to Edwards. Edwards frequently read his sermons, whereas Whitefield spoke extemporaneously, and "to the heart rather than to the head."³⁷ Other outstanding preachers of the Great Awakening were the Reverend William Tennent and one of his sons, Gilbert. They cooperated to establish what has sometimes been called the first theological school in America at Neshaminy, Pennsylvania, in 1727; the enemies of these two Presbyterians contemptuously called this school the "Log College." Nevertheless, this "College" became the center of the "New Side" or "New Light" Presbyterians, and also, in a sense, the forerunner of Princeton. Gilbert Tennent delivered many revivalist sermons in New Jersey, Connecticut, and Massachusetts.³⁸

The theme of many leaders of the Great Awakening was that "the truth was to be found by each person in the Bible," not in man-made laws, sermons, or creeds. Whitefield, in particular, stressed the idea that the only way to be saved was by an "emotional experience." He even went so far as to criticize "unconverted ministers." Some "itinerant evangelists" went to greater extremes. Some church services took the form of "wailing, shouting, rolling on the ground, praying, singing and leaping for joy." One Bostonian, describing a "revival," wrote:

There is a Creature here which you perhaps never heard of before. It is called *an Exhorter*. It is of both Sexes, but generally of the Male, and young. Its distinguishing qualities, are *Ignorance, Impudence, Zeal*. . . . Such of them as have good Voices do *great Execution*; they move their hearers, make them cry, faint, swoon, fall into Convulsions. . . . You may hear screaming, singing, laughing, praying, all at once; and, in other parts, they fall into Visions, Trances, Convulsions. When they come out of their Trances, they commonly tell a senseless Story of Heaven and Hell, and whom and what they saw there.

The Great Awakening had many results, some immediate and direct, others long-range and indirect. The most immediate consequence was the splitting of the Congregationalists into "Old Lights," who held the older views, and "New Lights," who subscribed to the Edwards theory, and a similar division among the Presbyterians into the "Old Sides" and the "New Sides." Perhaps more

³⁷ An estimated congregation of 30,000 heard Whitefield preach on the Boston Common. In Philadelphia, a building was constructed especially for his use. In New York City, he addressed 5,000 people in April, 1740. Most of the churches in that city refused him admission, but the Presbyterians allowed him to use their buildings.

³⁸ Whitefield had attacked the colleges and many of the churches, especially the "Old Sides," that were opposed to a trained ministry. Tennent's 1740 sermon on *The Danger of an Unconverted Ministry* helped cause the rift in the Presbyterian Church.

important in the long run was the great increase in church membership. An estimated twenty to fifty thousand members were added to the various Protestant faiths. The Baptists, who believed in democracy and emotional religion, probably gained more members than any other, chiefly from the Congregationalists in New England and from Anglicans and other sects in the Middle and Southern colonies. On the whole, conservative influence in the churches was greatly diminished. The "democratizing of religion" gave the common man a larger voice in the church, but it also brought into the ministry more poorly educated clergymen. The founding of four of the nine colonial colleges—Princeton (Presbyterian), Brown (Baptist), Rutgers (Dutch Reformed), and Dartmouth (Congregational)—may be attributed to the desire of four religious groups to provide a trained ministry.³⁹ The Great Awakening also led to an increasing interest in missionary work among the Indians,⁴⁰ some organized opposition to slavery, and efforts to improve the lot of orphans, as evidenced in the founding of an orphan asylum at Bethesda, Georgia, by George Whitefield. Another byproduct of the Awakening was the increasing opposition to established churches and the growing interest in separation of church and state. This defiance of authorized institutions, which has been called "the first spontaneous outburst of popular feeling in American history," helped to prepare "men's minds for the next great act of resistance—the American Revolution."

Churches at the Close of the Colonial Period. At the outbreak of the American Revolution the Congregational Church was still the dominant one in New England; it was the established church in Connecticut, Massachusetts, and New Hampshire. Yet, even in those three colonies other sects were allowed to worship. In all colonies in the South, plus four counties in and around New York City, Anglicanism was established. With the possible exception of Virginia, however, members of the Church of England were not in the majority and probably did not even comprise 30 per cent of the population in those colonies. In the Middle colonies there was no established church (outside of the four New York counties), but the Presbyterians were rapidly growing in strength.

The number of churches of each denomination at this time has been estimated as follows:

Congregational	658	Quaker	295
Presbyterian	543	German and Dutch Reformed	251
Baptist	498	Lutheran	151
Anglican	480	Catholic	50

³⁹ The College of Philadelphia, now the University of Pennsylvania, is traditionally the only nonsectarian college of colonial America. Professor Sweet says that although it was not under denominational control, its beginnings "were definitely related to the revival."

⁴⁰ One of the reasons for establishing Dartmouth, as was the case with William and Mary earlier, was the education of Indians and the training of missionaries for work among them.

COLONIAL CULTURE: EDUCATION

*

Education in America has always been the concern of the family, the church, and the government. In some of the colonies, particularly in the South where there were few towns and population was widely dispersed, education was left largely to parents. They taught their own children or, in the case of the more affluent families, employed tutors or paid the tuition of their children in some "subscription" school or other private educational agency. In other sections, notably the Middle colonies, various churches maintained "parochial schools" to minister to their adherents. In New England a policy of direct public responsibility developed, though the church and the family continued to exert great influence on educational policies and practices. The diversity of educational systems in the various regions and individual colonies, as well as the rate of progress in establishing and maintaining schools and colleges, bore a close relationship to such factors as religion, density of population, wealth, and the educational background and interest of church leaders and government officials.¹

The English Background. In all the colonies, regardless of the agency responsible for schools, education, in conjunction with many social and political ideals, reflected the influence of the English background. Education in the mother country was for the privileged few, not for the masses. The state made no direct contribution to the many private and endowed elementary schools, though the teachers were licensed by the king or a bishop of the Established Church. The apprenticeship system prevailed for poor children, who never received any "book learning," but who nevertheless were given practical instruction in a large variety of trades. In 1600 there were about 360 privately or Church-endowed "Latin Grammar" or secondary schools, such as Eton and Harrow, which had religious requirements for admission and whose curricula emphasized classical and religious subjects. The various colleges at Oxford and Cambridge dominated higher education, but these institutions were under Church control; they admitted only communicants of the Anglican Church and had clerical faculties. Their purposes were primarily "the training of scholars, statesmen, and church leaders."

¹ Congregationalists, Anglicans, and Presbyterians manifested the greatest interest in education, though the other sects were not unconcerned in this matter.

Education in New England. It is not surprising that the Massachusetts Bay Colony was the pioneer in colonial education. The Puritans who came to the colony, especially those who arrived in the twenty years after 1630, were convinced that they had a "divine mission" and that an obligation rested upon them to be "fit vessels of the Lord." The opening sentence of Edward Johnson's *New England's First Fruits* (1643) declared:

After God had carried us safe to *New England*, and wee had builded our houses, provided necessaries four our liveli-hood, rear'd convenient places for Gods worship, and setled the Civill Government: One of the next things we longed for, and looked after was to advance *Learning* and perpetuate it to Posterity; dreading to leave an illiterate Ministry in the Churches, when our present Ministers shall lie in the Dust.

But there were other reasons for the priority of Massachusetts in education. The leaders, themselves educated (about one of each two hundred of the first generation was college-trained), desired similar opportunities for others; the people lived in fairly compact communities, largely in towns and villages; ministers had to be trained to give the settlers proper religious instruction to perpetuate the Bible Commonwealth; and, what was very important, adequate governmental and personal income facilitated educational opportunities.

The citizens of Boston took the initial step when they held a mass meeting in the spring of 1635, elected "our brother Mr. Philemon Pormort" as school-master, and established a school later called the Boston Public Latin School.² Next, Massachusetts law of 1642 required parents to have their children taught to "read & understand the principles of religion & capitall lawes of this country," to write, and to learn a trade. General supervision of such training was entrusted to town officials. Because many parents had too many other cares or too little education and wealth themselves to discharge their duties properly, a law was enacted in 1647 establishing a free school system and compulsory attendance. Every town with fifty families was required to establish an elementary school, and each town with one hundred families must establish a grammar school "to instruct youth so far as they shall be fitted for the university."³ The purpose of this measure, as stated in the preamble, was to prevent the "ould deluder Satan" from keeping "men from the Knowledge of the Scriptures." The principle of state responsibility embodied in these laws was gradually extended throughout New England.⁴

Many towns established Latin Grammar Schools and a few had special "writing schools."⁵ These institutions were financed by tuition and other fees, donations, and funds voted by town or colonial government. Each school had

² The first building for this school was erected in 1645.

³ Harvard College had been founded a few years earlier.

⁴ These principles, with a few minor changes, were embodied in the Connecticut Code of 1650 and the New Haven Code five years later. There were no schools in the Plymouth colony until 1671, and none in Rhode Island or New Hampshire until after 1700.

⁵ There were no "graded schools" or high schools in the colonies. They were products of the late nineteenth century.

¶ My son, know thou the God of thy father, and serve him with a perfect heart, and with a willing mind; for the Lord searcheth all hearts, and understandeth all

FRONTISPICE.



the imaginations of the thoughts · if thou seek him, he will be found of thee ; but if thou forsake him, he will cast thee off forever

David to Solomon.

THE
NEW-ENGLAND
PRIMER,

IMPROVED;

OR,

AN EASY AND PLEASANT

Guide to the Art of Reading.

To which is added, · · ·

THE ASSEMBLY'S CATECHISM.

Stereotyped by A. Chandler & Co.

NEWARK:

PUBLISHED BY BENJAMIN OLDS.

The New England Primer. (Courtesy of The New-York Historical Society, New York City)

one teacher or "master," though the Boston Latin School and perhaps a few others had an additional instructor, called the "usher." As the name implied, emphasis was placed on Latin, with the idea of preparation for college. As only a small number of graduates went on to college, the Latin School gradually lost favor. The laws relating to these schools were also laxly enforced, as evidenced by the report of the Massachusetts legislature in 1701 that the school statutes were "shamefully neglected in divers towns." In some communities, the academy—a private school for the wealthier classes offering broader instruction and more practical subjects—began to replace the old Latin Grammar School, particularly after the middle of the eighteenth century.⁶

When a community was not able or willing to provide regular schools, an effort to educate the young was frequently made in "dame schools," conducted in the home of some housewife who taught children to read and write. This type was, in a sense, a day-nursery and elementary school combined. It afforded some women an opportunity to earn a little money, and it was the means by which many youngsters learned some of the rudiments of education.

In schools of almost every type children learning to read followed "the or-

⁶ The first important one was Dummer Academy, opened at Byfield, Massachusetts, in 1763.

dinary road of Hornbook, Primer, Psalter, Testament, and Bible.”⁷ Pupils learned to read by using a “hornbook,” which was not a book at all, but a flat piece of wood—or sometimes of leather—with a handle, on the face of which was a piece of paper or parchment covered by a thin, transparent sheet of horn. This device usually contained the letters of the alphabet, numerals, and sometimes a list of vowels and syllables, and perhaps the Lord’s Prayer. *The New England Primer*, prepared by Benjamin Harris, a London printer, and published in Boston about 1690, was the first textbook printed in the colonies. This book was “for one hundred years *the schoolbook of the dissenters of America*, and for another hundred years was frequently reprinted.” One of its features was the rhymed alphabet; an example was:

A—In Adam’s Fall
We Sinned all.

G—As runs the Glass
Man’s life doth pass.

T—Time cuts down all
Both great and small.⁸

In schools at all levels, emphasis was placed on “memory work” or “learning by heart.” There was little opportunity for freedom of thought or expression—no “projects” or “activity” or “progressive education.” The colonists everywhere took seriously the axioms: “Spare the rod and spoil the child” and “Love well, whip well.” Accordingly, discipline in the home and at school, usually in the form of flogging, was administered in large doses. Perhaps obedience to teachers and respect for parental authority were carried too far, but the fact remains that the colonists never had any serious problem of juvenile delinquency.

Schools in the Middle Colonies. Educational progress in the Middle colonies was slower than in New England, and more varied types of schools developed,

⁷ The rules of the Dorchester school, adopted by a town meeting in 1645, required the schoolmaster “to commend his scholars and his labors amongst them unto God by prayer morning and evening, taking care that his scholars do reverently attend during the same.” Each Monday noon he examined his students on what they had learned from the Sabbath sermon, and each Friday afternoon he catechised them “in the principles of the Christian religion.”

⁸ The *Primer* also contained the *Westminster Shorter Catechism* and other religious writings. In the 1781 edition there appeared the famous children’s prayer:

Now I lay me down to sleep
I pray the Lord my soul to keep
If I should die before I wake
I pray the Lord my soul to take.

the result of such factors as national diversity, language differences, economic interests, and the attitude of Quakers and some other sects toward education. The Dutch had sponsored a good system of primary education under control of the Dutch Reformed Church in schools supported by tuition and taxes. A school had been started in New Amsterdam at least as early as 1638 (some claim it was in 1633, earlier than the Boston Latin School), and by 1664 there was a school in every important town in New Netherland. These semipublic Dutch schools were gradually abandoned after the English conquest, to be replaced by private schools under the auspices of the Anglican Church and, after 1701 under the Society for the Propagation of the Gospel.⁹ New Jersey passed laws in 1693 and 1695 authorizing towns to establish public schools, not far different from those of New England, but the laws were not enforced, and "public schools" failed to develop after 1702. Most of the institutions of learning in New Jersey in the eighteenth century were sponsored by the Presbyterians.

Quaker influence dominated education in colonial Pennsylvania. Despite the statement by George Fox, founder of his sect, that "God stands in no need of human learning," an early law required parents to have children taught reading and writing. The statute was not enforced, and no "public schools" were established. There were, however, a number of Quaker-sponsored schools, among them the William Penn Charter School, begun in 1689 and chartered in 1697. These schools placed less emphasis on the classics and more on English, mathematics, and such "practical studies" as bookkeeping and surveying than did most of the schools of early America.

Education in the South. The diffusion of population, the planters' views on education, and the attitude of the Established Church were all deterrents to the development of public schools in the Southern colonies.¹⁰ Some of the aristocrats, though not all, perhaps agreed with the famous statement of Governor William Berkeley: "Thank God there are no schools and no printing presses in Virginia and I hope there will be none for these hundred years."¹¹ The Anglican Church was hostile to schools under control of "dissenters," and until the middle of the eighteenth century the Southern colonies relied largely on tutors and private schools sponsored by the Anglican clergy.¹² In the last two decades of the colonial period a number of Presbyterian-backed academies and seminaries were founded, but these institutions failed to reach the masses; they provided instead classical and professional training for the higher classes. The chief types of private schools were the "old field" schools—so called because they were located

⁹ Most of the S.P.G. schools were for whites, but one for Negroes was established in New York City by Elias Neau; some educational work was also carried on among the Indians.

¹⁰ After 1750 some laws were passed for the establishment of public schools, but they were not enforced, and money appropriated for schools was diverted to other purposes.

¹¹ The wills of many planters reflect a zeal for the education of their own children, but little interest in "public education."

¹² In the Carolinas the S.P.G. was the most active educational agency until near the close of the colonial era.

on abandoned farm land—which stressed elementary subjects, and the academies, which taught not only some elementary courses, but also college preparatory studies in the classics, science, mathematics, and literature.

Children of the wealthier people were usually given instruction in the home and then sent to some colonial college or to England. The children of the poor, and especially orphans and illegitimate children, received a limited education through the agencies of indentured servitude and the apprenticeship system. Masters and guardians were required by law to give their wards the "rudiments of learning" and teach them a "useful trade." Orphans were also to be taught "according to rank and degree."

Such formal schooling as existed in any colony was largely confined to boys. Girls might sometimes attend primary schools, though mostly in off seasons, or learn to read and write in dame schools. Usually, however, they were taught at home to do "those things which would make them a good wife and house-keeper."

Colonial Colleges. The most remarkable feature of colonial education was the establishment of colleges¹³ even before any foundation for primary and secondary education had been laid. This unusual situation may be attributed largely to four causes: the importance of college-trained men among the first settlers, especially in New England; the interest in and need for trained clergymen; the education of a large number of colonial lawyers at the Inns of Court in London; and the interest of many churches, merchants, and planters in the education of the "better sort."

Virginia was the first to propose erection of a college,¹⁴ but it was Massachusetts that actually established the first college in what is now the United States. In 1636 the legislature of Massachusetts agreed to give £400 towards a "Schoole or Colledge, whereof £200 to be paid the next year and £200 when the work is finished." A year later the legislature ordered the college erected at Newtown, and the year after that changed the name of Newtown to Cambridge, in honor of the college town in England. About the same time the name of the institution was changed to Harvard, because John Harvard, a Charlestown minister, bequeathed his library and part of his estate to the institution.

Harvard's first head (who was called "professor," not "president"), Nathaniel Eaton, though "recommended for his knowledge of theology," almost starved the students, misused college funds, whipped some of his assistants, and finally fled to Virginia, where, according to John Winthrop, he succumbed to vice, "being usually drunken, as the custom is there."

¹³ What distinguished a college legally from other educational institutions was the authority to grant degrees.

¹⁴ The proposed college of Henrico in Virginia failed to materialize, largely because of the Indian massacre of 1622. On a tablet in the arcade of the Wren Building at William and Mary College is inscribed: "First College in the United States in its antecedents, which go back to the College proposed at Henrico (1619). Second to Harvard University in actual operation."

Despite this unfortunate incident, the college recovered and soon became a "nursery of learning and a training school" for Puritan preachers. The curriculum, based largely on that of Emmanuel College, Cambridge, England, consisted chiefly of Latin, Greek, Hebrew, logic, ethics, and rhetoric—proper subjects for ministerial candidates. There was little attention to mathematics and the natural sciences, and none to history and modern languages. This course of study set the general pattern for most of the colonial colleges until about 1765, though the curriculum of William and Mary followed that of the University of Edinburgh, alma mater of its founder and first president, James Blair, and Philadelphia Academy and College (later the University of Pennsylvania), the one colonial college not founded specifically under church auspices, made a radical departure in its curriculum when it offered science, mathematics, modern languages, and history as early as 1754.

Until the middle 1740's there were only three institutions of higher learning: Harvard, William and Mary, and Yale. The following years, however, witnessed the founding of six more colleges. This remarkable growth has been attributed to several factors. One was the religious discussion, promoted by the Great Awakening and the resulting desire to train ministers in the sectarian beliefs that emerged. A second reason was the availability of money during the prosperous years following King George's War. Also important in the establishment of these colleges was the growth of civic pride and the development of greater interest in humanitarianism.

The Wren Building, William and Mary College, with the statue of Lord Botetourt before it. This building, designed by Christopher Wren, is claimed to be the oldest academic structure in America. It was begun in 1694. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)



The following list gives the names, dates of chartering, permanent locations, and sponsorship of the nine colonial colleges:¹⁵

Harvard	1636	Cambridge, Massachusetts	Congregational
William and Mary	1693	Williamsburg, Virginia	Anglican
Yale	1701	New Haven, Connecticut	Congregational
Princeton	1746	Princeton, New Jersey	Presbyterian
Pennsylvania	1749 (1754)	Philadelphia, Pennsylvania	Nonsectarian
Columbia	1754	New York, New York	Anglican
Brown	1764	Providence, Rhode Island	Baptist
Rutgers	1766	New Brunswick, New Jersey	Dutch Reformed
Dartmouth	1769	Hanover, New Hampshire	Congregational

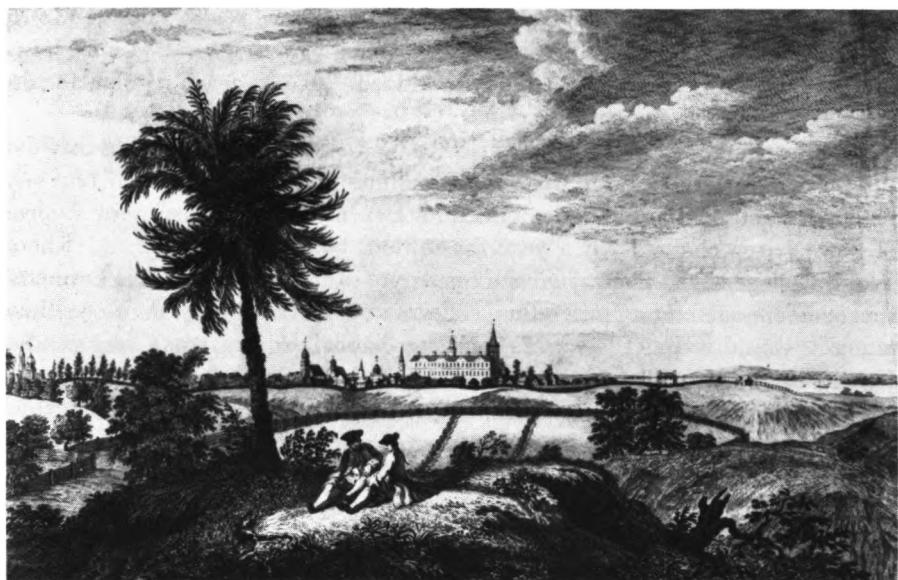
Four of these colonial institutions were in New England, four in the Middle colonies, and only one in the South; three were founded under Congregational auspices, two by Anglicans, and one each by Presbyterians, Baptists, and Dutch Reformed; only Pennsylvania was nonsectarian, with its trustees and faculty representing several religious denominations. Four—Harvard, Yale, Brown, and Rutgers—were named for benefactors. An objective of two—William and Mary and Dartmouth—was to educate Indians and train men for missionary work among them. Yale was founded because of opposition to the theological liberalism of the sectarian-dominated curricula at Harvard, as well as the desire to have an institution of higher learning nearer the home of its founders. Benjamin Franklin was a leading figure in the broadened course of study adopted by the Philadelphia College, and its resulting success played an important part in the gradual breakdown of church control and the liberalization of intellectual interests in the collegiate field just before the American Revolution.

That change started about 1765. Thereafter, more emphasis began to be placed on English grammar and composition. Interest in Hebrew diminished as some colleges allowed the election of modern languages, especially French and German. There was also a trend to substitute courses in history, especially ancient, for theological studies. In addition, natural sciences were gradually taking the place of metaphysics. With the exception of the Philadelphia College, a four-year curriculum replaced the previous three-year program.

The average entering and graduating ages of students were several years lower than they are today. Entrance requirements did not consist of a certain

¹⁵ For some years what is now Yale was the Collegiate School; Princeton was the College of New Jersey; Pennsylvania was the Philadelphia Academy (which became Philadelphia College in 1754); Columbia, King's College; Brown, Rhode Island College (whose trustees consisted of Baptists, Quakers, Anglicans, and Congregationalists, with Baptists, however, in the majority); Rutgers, Queen's College; and Dartmouth, Eleazer Wheelock's Indian School.

Augusta Academy at Lexington, Virginia, was begun in 1749; in 1776 it became Liberty Hall; later it became Washington College, and finally Washington and Lee. Hampden-Sydney College in Virginia was opened as an academy in 1776 under Presbyterian control; it was chartered as a college in 1783.



A southeast view of New York City in 1763. King's College is in the background.
(Courtesy of The New-York Historical Society, New York City)

number of "credits"; the usual requirement was a reading knowledge of Latin and Greek, not too difficult for those who had been trained in Latin Schools. Specifically, King's College (Columbia) insisted that:

The lowest Qualifications . . . are as follows, viz. That they be able to read well, and write a good legible Hand; and that they be well versed in the Five first rules in Arithmetic, i.e. as far as Division and Reduction; and as to Latin and Greek, That they have a good Knowledge in the Grammars, and be able to make grammatical Latin, and both in construing and parsing, to give a good Account of two or three of the first select Orations of Tully, and of the first Books of Virgil's Aeneid, and some of the first Chapters of the Gospel of St. John, in Greek. . . .

The average size of the student body at Harvard in the seventeenth century seldom exceeded fifty, but in the following century the growing population, the greater economic resources of the colonists, and the increasing attention to education brought many more students. By the time of the Revolution, Harvard had an average enrollment of 180; Yale, 170; the College of New Jersey (Princeton), one hundred; and the others, below a hundred.

The students were strictly classified, often being seated according to their "dignity" or social position. College "directories" were arranged in the same fashion, not according to alphabet. On the whole, student relations with the faculty were good, but, of course, there were the usual "gripes." The faculty

numbered from two to four, including the president, who also taught. Mostly they were clerics, and did not receive high salaries. The Reverend Samuel Johnson, first president of King's College, received £250 a year; regular faculty members were paid £200 or less.

Tuition charges prior to 1770 varied. At King's College it was twenty-five shillings a quarter, a charge that was sometimes paid in kind. Room rent was £4 a year, and board might be obtained for eleven shillings a week. The College of New Jersey charged £9 a year for tuition, board, and room, and Rhode Island College, £12. Thereafter, the costs rose, so that in 1775 it was estimated that the annual cost of attending college ranged from £25 to £55; these amounts would include, however, books, wood for heating rooms, and candles for illumination; linens had to be provided by the students themselves.

Colonial colleges were constantly worried about scarcity of funds. The chief sources of revenue were tuition payments and other fees in all colleges, benefactions in some, subscriptions and lotteries in others, and in the case of William and Mary, a portion of the colonial quitrents.

Academic mortality among college students was low. Fewer than six hundred entered Harvard prior to 1700, but 465 were graduated. It appeared that "if a student attended classes regularly, paid his fees, and observed the proper deportment," he would receive his diploma. The number of college graduates increased rapidly in the eighteenth century. In the thirty-year period 1715-1745 there were fourteen hundred persons who successfully completed their college training, and between 1745 and 1775 there were more than three thousand.

The college day was long, from dawn to dusk. Classes were held throughout the day. Students were expected to recite frequently and to elaborate on their texts. Lectures by the faculty were usually delivered only to seniors. Prayers were compulsory both morning and evening, and on Sundays the church of the student's choice must be attended. "Cutting classes" was frowned upon and might result in fines. Library facilities were meager, and the students did not take full advantage of those that were available. At the end of the colonial period Harvard had about four thousand volumes, Yale almost as many, and the remaining college libraries contained fewer than three thousand.

The students were expected to reside in the college hall—there were not more than two or three buildings on the entire college "campus"—with two or three in a room, and to eat in the college refectory. The normal breakfast consisted principally of bread and butter, the main meal of meat and potatoes was served in the middle of the day, and at night "leftovers" were the fare.

There were no fraternities—though there might be "literary societies"—no organized athletics, and no regular extracurricular activities to divert the students from the major task of obtaining an education. But boys away from home then, as now, occasionally played pranks, for which they were frequently fined and even flogged. One method of giving vent to surplus energies was to haze freshmen; at Harvard they had to run any errands demanded by upperclassmen. Once in a while pranks got out of hand, provoking public criticism. For

example, the Reverend Solomon Stoddard found fault with the situation at Harvard during the course of a sermon in 1703:

Places of learning should not be places of riot. . . . Ways of profusion and prodigality in such a society lay a foundation of a great deal of sorrow. . . . 'Tis not worth the while for persons to be sent to the College to learn to compliment men and court women; they should be sent thither to prepare them for public service and had need to be under the oversight of holy men.

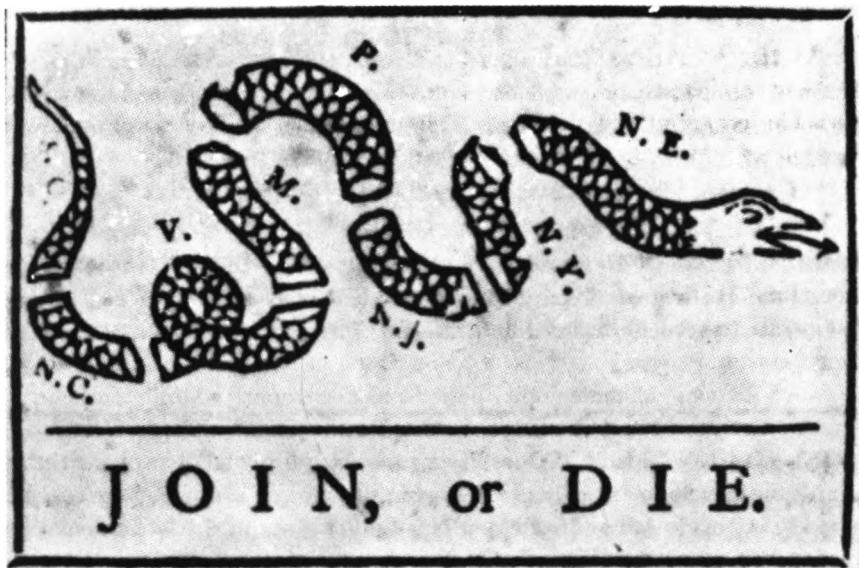
The student uprising at Harvard in 1766, known as the "butter rebellion," received much adverse publicity, and the student body at Yale in one instance demonstrated so vociferously that President Thomas Clap was compelled to resign.

Toward the close of the colonial period more and more young men from the Southern colonies attended colleges in the North, notably King's College and the College of New Jersey. The result was the partial breakdown of provincialism and the development of a greater spirit of colonial unity. A large number of the leaders in church and state, perhaps the majority in the late colonial and Revolutionary era, were college-trained. Of the fifty-four signers of the Declaration of Independence, eighteen had attended some institution of higher learning. Seldom in American history have so few educated men wielded so much influence. Especially noteworthy was the role of college men in the political developments that were climaxed by the American Revolution, separation from the British Empire, and the establishment of the United States under the Constitution.

At the same time, however, there were widespread ignorance and illiteracy among the masses. In 1775 John Adams declared that a native inhabitant who could read was "as rare as a comet or an earthquake." The major effort to remedy this educational deficiency occurred at the time of the Revolution, when several states wrote into their constitutions the principles of public education. It was not until well into the next century, however, that most of the states actually translated these constitutional mandates into action by the creation of "common schools" supported by public taxation.

The Press. Despite the paucity of formal educational opportunities, American colonists, especially in the urban communities, possessed numerous outlets for intellectual activity. After 1700 one of the most important of these was the newspaper. The printing press made its appearance in some colonies at a relatively early date—in Massachusetts in 1639—but the primary reason for its establishment was the necessity of printing and circulating the laws.¹⁶ Almost a century elapsed before there was a regular newspaper. In the autumn of 1689 Samuel Green of Boston published a "news-letter" called *The Present State of*

¹⁶ Other colonies were much slower: the first printing press in the Middle colonies was not set up until 1685 (in Philadelphia); the first in North Carolina, not until 1749; and several colonies were still later.



Join, or Die. (Courtesy of Syracuse University Manuscripts Division)

New English Affairs, which some have called the first American newspaper; others reserve that honor for Benjamin Harris, also of Boston, who printed in 1690 a four-page paper, or pamphlet, entitled *Public Occurrences, both Foreign and Domestick*, which was suppressed after one issue because of "reflections of a very high nature" on a current political issue.

The first continuing paper in the colonies was the *Boston News-Letter* (1704), edited by the local postmaster and "public printer," John Campbell, who also printed the first newspaper illustration in 1708. Not until 1719 was there another colonial paper. By 1765, however, more than forty had been established, some of which had very short runs.¹⁷ At the opening of the Revolution there were thirty-seven newspapers being printed in the colonies, and the average weekly circulation had risen from an estimated six hundred to as high as thirty-five hundred (*Massachusetts Spy*).

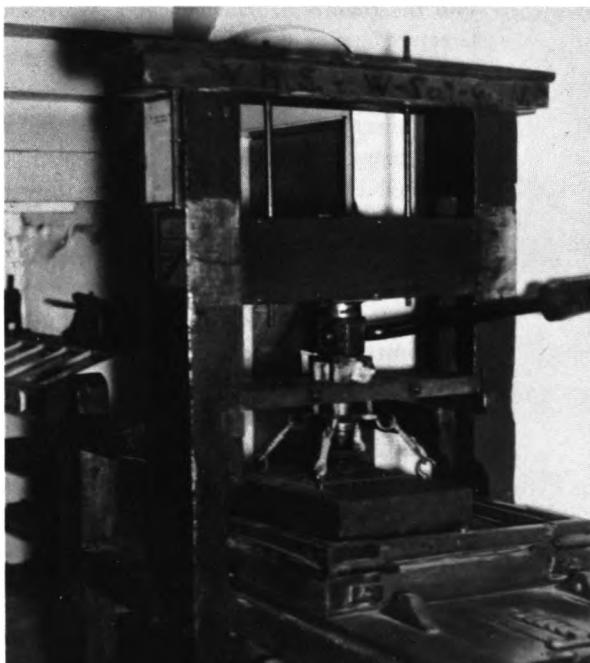
Among the best papers were William Bradford's *American Weekly Mercury* (Philadelphia, 1719); the *New England Courant* (Boston, 1721), in which were printed the earliest publications of young Benjamin Franklin, including his "Do-good" essays; the *Maryland Gazette* (Annapolis, 1727); Benjamin Franklin's *Pennsylvania Gazette* (Philadelphia, 1729); the *South Carolina Gazette* (Charleston, 1732); John Peter Zenger's *New York Weekly Journal* (1733); and the *Virginia Gazette* (Williamsburg, 1736). Most of these papers,

¹⁷ Most of the newspapers were in English. The first foreign language one was Benjamin Franklin's *Philadelphische Zeitung* (1732); perhaps the best one was Christopher Saur's Germantown *Der Hoch-Deutsch Pensylvanische Geschicht-Schreiber* (1739).

and perhaps a few others, contained essays and "Speculations" in the Addisonian style, though none measured up to the literary excellence of the great English *Spectator*. Probably the two best editors of the colonial period were to be found in New York City, Hugh Gaine and James Rivington.

The typical colonial newspaper was a weekly,¹⁸ and the subscription price varied from 2s. 6d. to 6s. a quarter. It usually consisted of four pages and was about the size of a modern tabloid. It contained a small amount of gossip and local news, and such items as shipping notices, customhouse clearings and entries, domestic and foreign letters, speeches of governors, important acts of Parliament, and reprints from other journals, especially English publications. There was more advertising—of land, books, runaway slaves, imported articles—than is commonly supposed, and it was scattered all over the paper, including the first page. There were few or no editorials in most of the papers, though a considerable amount of editorial opinion was expressed indirectly. There were no comic strips, sports pages, or society columns. Most papers had no cartoons, although one of the first significant ones was Franklin's snake cut into eight pieces, with the caption "Join or Die," which appeared at the time of the French and Indian War. Newspapers had no "front page" in the modern journalistic sense of that term, nor large headlines, though there were some variations in the size of type. The type in many newspapers was bad, but the paper,

¹⁸ The first attempt to publish a daily was made by Benjamin Towne of Philadelphia, who in 1783 printed the *Pennsylvania Evening Post and Daily Advertiser*. It did not last long because of Towne's Loyalist activities.



A hand printing press. (Courtesy of The Wachovia Historical Society Museum, Winston-Salem, North Carolina)

made from linen rags, was excellent. One person, often the editor himself, sometimes with the aid of a "printer's devil," did all the work of getting out the journal: collecting "news," selling advertising, setting type, and eliciting subscriptions. Sometimes the editor was also the public printer, the postmaster, the operator of a bookstore, and the like.

The Zenger Case. In the early years colonial editors were greatly handicapped by censorship and libel laws, which gave a judge the right to determine the fact of libel, with the jury merely considering the fact of publication. In New York City, however, the celebrated Zenger case, which was settled in 1735, greatly strengthened freedom of the press.

A number of merchants and lawyers of New York became dissatisfied with the arbitrary and corrupt rule of Governor William Cosby, and they established the *New York Weekly Journal* in 1733 as a means of attacking him. Under the proprietorship of John Peter Zenger, the newspaper was filled with critical articles about the royal governor and his administration. They were usually disguised, but left no doubt in the minds of the readers about what they meant. For example, the edition of November 26, 1733, contained the following:

A large Spaniel, of about Five Foot Five Inches High, has lately stray'd from his Kennel, with his Mouth full of fulsom Panegyricks, and in his ramblings dropt them in the New York Gazette. . . .

And this item appeared in the December 10, 1733, issue:

A Monkey of the larger Sort, about 4 Foot high, has lately broken his chain and run into the country. . . . Having got a Warr Saddle, Pistols and Sword, this whimsical Creature fancied himself a general. . . .

Zenger was finally arrested on charges of libel, at the instigation of the governor's aristocratic supporters, and he was to be tried before Judge James DeLancey, suspected of being a tool of Cosby's. Zenger's backers and friends obtained the services of the ablest lawyer of the time, Andrew Hamilton of Philadelphia, to defend the editor. Hamilton, disregarding the judge's orders, effectively prevailed upon the jury to determine the fact of libel themselves; if they were of the opinion that the articles in question were founded on fact and truth, they should find Zenger "not guilty." The defense attorney accompanied his request with an impassioned appeal that there was more than simply a question of libel involved; there were the greater ones of freedom of the press and popular liberties generally.¹⁹ The jury freed Zenger, and as a result, every colony ultimately passed a law granting juries the right to determine the fact of libel.

Thereafter, colonial newspapers were given a freer hand to discuss controversial issues. Thus, as the American Revolution approached, more and more

¹⁹ Leonard W. Levy, in *Freedom of the Press from Zenger to Jefferson* (1966), says that "at best" this case "gave the press the freedom to print the 'truth'—if the truth were not directed against the legislature." He maintains that the Zenger case "did not emancipate the press in Colonial New York," as shown by "subsequent events."

**EDES & GILL'S
NORTH-AMERICAN
ALMANACK**
For the Year of our Lord

1 7 6 9.

Being the First after BISSEXTILE or LEAP-YEAR.
Calculated for the Meridian of BOSTON, N.E. Lat. 42° 12' North.
CONTAINING,
An Extract from the History of Publick Crimes Briton Americana; Judgment of the Weather; Sun and Moon's Rising & Setting; Time of High Water; Public Roads, with the best Stages or Houses to put up at; Eclipses; Courts in Massachusetts-Bay, New-Hampshire, Connecticut, and Rhode-Island; Feasts & Fasts of the Church of England, &c. &c. To which is added, The CHARTER of the Province of the Massachusetts-Bay.

THREE will be Five ECLIPSES this Year in the following Order, *viz.* — The First of the SUN, *January* 7th invisible.—The Second of the SUN, *June* 4th, invisible.—The Third of the MOON, *June* 19, visible and Total. Beginning, 1h. 43m. 25s. Middle, 1h. 30m. 37s. End, 1h. 17m. 28s. Duration, 1h. 32m. 53s. Digits eclipsed, 12 19.—The fourth of the SUN, *November* 28th, invisible.—The Fifth and last of the MOON, *December* 13th, visible. Beginning, 1h. 18m. 51s. Middle, 1h. 6m. 15s. End, 1h. 9m. 10s. Duration, 1h. 47m. 51s. Digits eclipsed, 8 56.

THE FRONTISPICE represents Two Female Figures. The principal, richly decorated, is seated on a Throne with an Imperial Diadem on her Head, and a Spear in her left Hand. The other Figure exhibits a Virgin with a Civic Crown, in the utmost Ague of Distress and Horror. The Cap of Liberty falling from the Spear of one, and tattering to fall from the other. The Label of one, *i.e.* Collidimur; of the other, Frangimur. Two Ships are represented to view in a Tempest in the instant of dashing to Pieces against one another, and jinking between the Rocks of Sylla, and Caribus. In the Interim are seen two Arch-Angels, flying as “on the Wings of the Wind.” The Label of the one is, “ Shall not the Lord of all the Earth do Right.” The other is, “ The Fool only hath said in his Heart there is no God.” Above all, in a Glory, is inscribed these Words, “ The Lord GOD Omnipotent reigneth, let the Earth rejoice !”

BOSTON: Printed and Sold by EDES & GILL, in Queen-Street.
[Price Four Shillings per Dozen, and Six Pence single.]



Edes and Gill's Almanac for 1769. The engraving is by Paul Revere. (Courtesy of The New-York Historical Society, New York City)

attention was devoted to the problems of colonial rights and to criticism of Parliamentary laws deemed detrimental to those rights. Consequently, the press, with its growing intercolonial circulation, played an ever-increasing role in promoting dissatisfaction with the *status quo*.

Colonial Magazines. There was little publication of magazines in colonial America. The first significant one was *The General Magazine and Historical Chronicle for all the British Plantations in America*, founded by Benjamin Franklin at Philadelphia in 1741. Like the efforts of other magazine publishers (which were usually ephemeral), this publication contained general news, reprints of poems and essays, and a book review section entitled “Accounts of or Extracts from New Books, Pamphlets, &c., Published in the Plantations.” Even though the circulation of *The General Magazine* and other colonial periodicals was not large, the publications marked a broadening of American intellectual outlook and a desire to promote an American culture.

A number of almanacs were printed throughout the colonial period, especially in New England. These contained general information, as well as pithy epigrams. The best known were *Poor Richard's Almanack*, the work of Benja-

min Franklin, and the *Astronomical Diary and Almanack*, compiled by Nathaniel Ames.

Colonial Literature. The old views that the colonial era produced little literature worthy of the name prior to the pre-Revolutionary decade, and that Jonathan Edwards and Benjamin Franklin were about the only writers of note, have undergone considerable modification in recent years. To be sure, there was little "creative writing," few or no professional writers, and no great novels, short stories, dramas, poems, or studies of "social problems." Yet, there were hundreds of vigorous, plain, matter-of-fact, and highly readable narratives: travel accounts, diaries and journals, and histories, written by the actual participants in "the making of America."²⁰ And what colonial literature lacked in quality was more than made up in quantity. The output of some of the writers, who were also busily engaged in other pursuits, was phenomenal. A large number of promoters of colonization, such as Bradford, Winthrop, John Smith, Williams, and Penn, had from one to a dozen books each to their credit. The father-and-son combination of Increase and Cotton Mather published some six hundred titles.

In the seventeenth century the major theme of writers, especially in New England, was religion, or rather, theological and ecclesiastical subjects.²¹ In other areas, and to some extent even in New England, there were many men who wrote travel accounts and diary-histories about fearful sea voyages, adventures in the wilderness, famine, disease, warfare, "Indian captivities," "wonderful deliverances," "God's Protecting Providence," and even about the "lot of servants in the New World."²² The eighteenth century witnessed a considerable increase in the variety and quality of publications. More history was written—some of it of good quality²³—more attention was given to political matters as the Revolution approached, and there appeared works on scientific subjects.

Among the hundreds of travel accounts (almost every missionary wrote one or more) perhaps the best from the literary viewpoint were by William Byrd II of Virginia, John Woolman of Pennsylvania, Sarah Kemble Knight of Massachusetts, and Dr. Alexander Hamilton of Maryland.²⁴ Judge Samuel Sewall of

²⁰ An amazing number of reprints of colonial histories, travel accounts, "Indian captivities," and the like have appeared in recent years.

²¹ Space will not permit a discussion of the scores of writers and the hundreds of books. Some of the leading "ecclesiastical prose writers" were John Cotton, Nathaniel Ward, Thomas Hooker, Roger Williams, John Wise, Increase Mather, and Cotton Mather. Thomas Morton might qualify as a humorist.

²² Some of the leading "nonecclesiastical prose writers" of the seventeenth century were John Smith, William Bradford, John Winthrop, and Edward Johnson.

²³ Among the leading historical writers of the eighteenth century were Robert Beverley, Hugh Jones, John Lawson, William Smith, Cadwallader Colden, Thomas Prince, and Thomas Hutchinson.

²⁴ Hamilton's *Itinerarium*, like a number of colonial writings (including Bradford's *Plimoth Plantation* and Sarah Knight's *Journal of Madam Knight*), was not published until the nineteenth century. The various writings of Byrd were not published until the twentieth century.

Massachusetts, the "Puritan Pepys," was the best-known diarist among many in colonial America.

Much more poetry was written and published than is commonly supposed. Mrs. Anne Bradstreet, daughter of one governor and wife of another, has the reputation of being the best poet in the colonies, although Michael Wigglesworth's *Day of Doom* far outsold any of Mrs. Bradstreet's publications. Ebenezer Cooke, the "poet laureate of Maryland," was the first poet in the Southern colonies and one of the first American writers to deal with a social problem —tobacco (*The Sot-Weed Factor*).²⁵ The writing in the field of the drama by Thomas Godfrey and others, as well as publications in the areas of science and medicine, will be discussed in another section.

According to literary historians, there were "best sellers" in the colonial period just as today. The following list indicates the most popular publications:

- Bay Psalm Book* (1640), which went through twenty-seven editions by 1750
Michael Wigglesworth, *Day of Doom* (1662)
Mary Rowlandson, *Captivity and Restoration* (1682)
New England Primer (1690?), published by Benjamin Harris and reported to have sold more than six million copies
Jonathan Dickinson, *God's Protecting Providence* (1699)
John Williams, *The Redeemed Captive* (1707)
Mother Goose's Melodies for Children (1719)
Astronomical Diary and Almanack (1725–1764), compiled by Nathaniel Ames
Poor Richard's Almanack (1732–1757), edited by Benjamin Franklin
William Penn, *No Cross, No Crown* (1741)
John Dickinson, *Letters from a Farmer in Pennsylvania* (1768)

Literature in early America "clung to hard fact." People wrote about what they saw, heard, and thought, the best foundations for good writing at any time. Modern scholars may say that the numerous historical accounts of this period were not "scientific," but the fact remains that these very critics have drawn heavily upon those writings. And no so-called scientific historian has ever given a more beautiful definition of history than the one by Captain John Smith, that "History is the memory of time, the life of the dead, the happiness of the living."

Books and Libraries. From the beginning of settlement, books played an important part in the cultural development of the colonies, especially in New England. Many of the first immigrants brought along their little libraries,²⁶ and the more affluent ones continued to import books from London. Booksellers, who were frequently publishers as well, could provide European publications of every description.

²⁵ In the early days of Virginia, George Sandys translated Ovid's *Metamorphoses*. Some scholars consider Sandys the "first poet" in the colonies.

²⁶ Captain Miles Standish of Plymouth had a library of about fifty volumes, including works on military science, Homer's *Iliad*, Calvin's *Institutes*, a handbook on farming, and an encyclopedia. William Brewster had a larger library, chiefly of religious works, but also including Machiavelli's *Prince*, Bacon's *Advancement of Learning*, and other "secular books."

Some men accumulated substantial libraries, the largest being that of William Byrd II of Westover, Virginia, amounting to four thousand volumes. The libraries usually contained books in the fields of theology, philosophy, political economy, history, general literature, law, and medicine. Greek and Roman writers were frequently represented; some of the works of Shakespeare, Milton, Bacon, Locke, Voltaire, Swift, Addison, Steele, and other prominent contemporary authors were likewise to be found. A few of the larger libraries often contained copies of leading English periodicals, notably *The Spectator*, *The Tatler*, and *The Annual Register*.

In addition to the private collections of books, there were some semiprivate "public libraries." Mention has already been made of the parochial libraries sent to a number of the colonies by the S.P.G. The increasing interest in books and the general cultural progress of the eighteenth century, however, were reflected in the formation of public libraries, the first at Charleston, South Carolina, shortly after the legislature authorized such an institution in 1700, and the more famous subscription library sponsored by Benjamin Franklin at Philadelphia in 1731. By the time of the Revolution there were many libraries —public, subscription, parish, and college. The increased interest in reading and writing in the late colonial period is closely related to the fact that the American Revolution has been called "the most literate war" ever fought.

COLONIAL CULTURE: PROFESSIONS, SCIENCE, AND THE ARTS

— * —

The colonists had other interests of a cultural nature. Closely associated with the just-recounted aspects of education were the legal and medical professions, which, however, were retarded by the lack of formal training. The sciences were developing slowly, although some Americans were already receiving deserved recognition in Europe for their contributions in various scientific fields. The arts—painting, music, and the theater—were still in the embryonic stage, which was only natural in a country where the primary attention was devoted to conquering the wilderness and earning a livelihood.

The Legal Profession. The study of law was as slow in developing as was the interest in matters esthetic. In fact, the legal profession was practically non-existent in the seventeenth-century colonies. Laws were drafted and administered almost entirely by those without legal training, and many judgeships were held by laymen. Lawyers were unpopular and distrusted both in England and her colonies. Among the many reasons were “the feudal and tyrannical nature” of the common law and its disfavor in England, the scanty materials for studying law, the opposition of church groups, especially the Puritans and Quakers, the jealousy on the part of many landowners and merchants, interference in litigation by royal governors, and the antipathy to lawyers by some of the promoters of colonization, such as William Penn.¹ This attitude is reflected in the number of laws restricting the activities of the “mercenary profession,” and by the denunciation of “pettifogging attorneys” in the literature of the time.²

¹ The Massachusetts Body of Liberties (1641), largely the handiwork of a lawyer, provided that those who pleaded causes for others should receive no compensation for it. The Fundamental Constitutions of Carolina (1669) prohibited anyone from pleading in court “for reward.” There were many statutes designed to curb “mercenary attorneys,” and in most colonies their fees were restricted.

² A book about Pennsylvania and New Jersey, published in 1698, stated: “Of Lawyers and Physicians I shall say nothing, because this country is peaceable and healthy. Long may it continue and never have occasion for the tongue of the one nor the pen of the other—both equally destructive of men’s estates and lives.” In the second quarter of the next century Georgia was described as “a happy flourishing colony—free from that pest and scourge of mankind called lawyers.”

But the statutes against lawyers were not rigidly enforced, and the scathing attacks on them did not prevent many young men from entering the profession. It was easier for a person to "master the law" then than at any other time in American history, for the obvious reason that there were fewer laws and court decisions to study. The prevailing method of obtaining a legal education was by apprenticeship to a practicing lawyer, although a few seventeenth-century Americans did study at the Inns of Court in London.³ On the whole, therefore, the number of well-trained lawyers was not large before 1700.

Thereafter, considerable improvement took place.⁴ Edmund Burke, the great English orator, asserted that the study of law was "more general in America perhaps than in any other country." Consequently, by the time of the Revolution, the legal profession probably outranked any other in training, achievement, political influence, wealth, social standing, and even in popular recognition, though there were still criticisms of "mercenary attorneys."⁵ An increasing number of young men studied law at the Inns of Court, among them John Dickinson of Pennsylvania, Daniel Dulany of Maryland, and Edward Rutledge and Charles Cotesworth Pinckney of South Carolina. More law books were published,⁶ and the sale of Blackstone and other English "legal classics" reached such high figures that one English statesman declared that "more copies of Blackstone had been sold in America than in England."⁷

The standards of the legal profession improved as lawyers were better trained⁸ and as bar examinations came into use in some colonies. In 1729 a group of six prominent lawyers of New York City organized the first bar association in the colonies, and in the following year, the Supreme Court of New York decided:

In order to the obtaining a Lycense to Practice as an attorney at law . . . it shall appear that the person who shall sue for such Lycense had served for the Term of seven Years with some Attorney of this Court or had served an Apprenticeship to some Attorney of his Majesty's Courts of Kings Bench or Common Pleas in the Kingdom of Great Britain.

Similar regulations were adopted by some of the other colonies, with the result that no other profession had such high "entrance requirements."⁹ Additional help for prospective lawyers was the establishment of "The Moot" in New York

³ John Winthrop and five other lawyers of seventeenth-century Massachusetts had studied law there.

⁴ There are records of 136 lawyers in New York, 1709-1776; of seventy-six in Pennsylvania, 1742-1776; of 157 in South Carolina, 1772-1800. Connecticut had the smallest number per capita—eleven (limited to that figure by a law of 1730).

⁵ John Adams, writing about Massachusetts lawyers, said they were commonly denounced as "banditti, as blood suckers, as wind bags, as smooth tongued rogues."

⁶ The first law book published in the colonies was *Reasons for Indictment of the Duke of York . . .* (Boston, 1680).

⁷ In one year Robert Bell of Philadelphia imported a thousand sets of Blackstone's *Commentaries*.

⁸ The improvement was not uniform; Patrick Henry, for example, was admitted to the bar in Virginia after just a few weeks of study.

⁹ Yet, a few colonies still required only the payment of a fee to practice.

City in 1770. There, under the guidance of William Livingston and William Smith, two prominent attorneys, legal questions were discussed. Another indication of professional growth was the collegiate attention to law. Among the outstanding teachers were George Wythe, who became professor of law (1779) at William and Mary College, and James Wilson, who a few years later taught law courses at what is now the University of Pennsylvania. As a further means of increasing the legal prestige, several colonies decided that "no person practicing as Council at the bar . . . unless he be habited in Bar Gown and Band . . . under the Penalty of a contempt of this rule." Judges must also wear "Robes and Bands." Thanks to these actions, by the time of the Revolution, Philadelphia, New York, Boston, Charleston, and several other cities had "distinguished bars."

Law and politics were as closely related then as now. A large number of the legislators, perhaps a majority in many colonies, were lawyers, and their success in the political arena undoubtedly must have stimulated interest in their profession. Lawyers were particularly active and vocal in the events that preceded the Revolution, and they also played a significant role in every congress and convention, provincial or national, from 1750 to 1789.¹⁰

Health and Medicine. Much has been written about the "hardy pioneers" of early America, but the plain fact is that the colonists were generally sickly; many of them "enjoyed poor health." Considering the circumstances under which immigrants made their way to America, this is not surprising. The ships were overcrowded, lacking in sanitary facilities, medical supplies, and even adequate food, while the passage was "long and tedious." Despite the fact that it was customary to have abroad a "physitian" or "chirurgeon," or "ship's surgeon," the death rate was high, particularly if an epidemic broke out.¹¹ Many of those who survived the voyage developed scurvy or some other ailment. Thus it has been aptly said that "America was settled by sick people."

Even after reaching the New World, conditions under which the early colonists had to live were deplorable as a result of their weakened state, the difficulty of procuring suitable food and water, and the overcrowded and unsanitary conditions in their homes. One of the first settlers in Jamestown wrote, "Our men were destroyed with cruel diseases, as swellings, fluxes, burning fevers, and by wars . . . but for the most part they died of famine." Few family letters of the time were free from allusions to illnesses, frailties of human life, and deaths, and the medical records indicate that the grim reaper was taking a heavy toll. About 40 per cent of children died in infancy, the mortality among

¹⁰ At the Albany Congress (1754), thirteen of twenty-four members were lawyers; twenty-four of forty-five delegates to the First Continental Congress (1774), twenty-six of fifty-six delegates to the Second Continental Congress (1775), and thirty-three of fifty-five delegates to the Federal Convention (1787) were also of the legal profession. And yet, Franklin D. Roosevelt declared that the United States Constitution was "not a lawyer's document."

¹¹ Of the 180 who sailed for Virginia on a small ship in 1618, only fifty survived. The ship that brought William Penn to America in 1681 lost thirty of its company by smallpox.

mothers was exceptionally high, and the likelihood of anyone reaching a "ripe old age" was remote. Indeed, the average span of life was slightly more than thirty years, only about half that of the present day. There were many reasons for this high mortality. Doctors were few in number, and many who "practiced physick" were poorly trained. The slow means of transportation made difficult prompt ministration to the needs of the sick. Hospitals and trained nurses were virtually nonexistent, and effective medicines were scarce and expensive.

Perhaps just as important was the ignorance of cause and cure by the people generally and, unfortunately, by many physicians. Superstition and tradition played prominent roles in colonial medical practice. Some doctors and a few of the more learned people were familiar with the Galenic and other theories of disease, but disease was commonly considered the work of supernatural agencies. "Plagues" and "distempers" were caused by evil spirits; common ailments and disturbances were God's way of "punishing and purifying the soul."

Colonial Epidemics. Considering the sickly populace and the poorly trained doctors, it is no wonder that epidemics were prevalent in colonial America. The most frequent and deadly were smallpox, yellow fever, measles, diphtheria, scarlet fever, influenza, and dysentery. Smallpox and yellow fever were the most dreaded "scourges," especially among adults; measles and diphtheria were great killers of children.¹² Dysentery was prevalent throughout the colonies at various times, especially among troops. Malaria was a common ailment, particularly in the Southern colonies. Though such words as *hookworm* and *pellagra* do not appear in medical records, it is evident from the writings of colonial doctors that these enervating diseases were widespread in the South.

In addition, there were many ailments that defied colonial medical knowledge and thus were referred to as "burning ague," "nervous fever," "bilious plague," "inflammatory fever," "bilious pestilential fever," and "mortal fever." There were also many endemic illnesses, for the records contain many references to asthma, atrophy, catarrh, colic, consumption, hydrophobia, quinsy, rheumatism, pleurisy, scurvy, and venereal diseases.

Colonial Nostrums. Whether or not a proper diagnosis was made, "remedies" were always at hand, either from the family "medicine chest," the apothecary's shelf, or the physician's "bag." For "common ailments" almost every home had its "medicine chest" of household remedies. Medicinal herbs were widely used, and "popular concoctions were taken in large doses by credulous people." A poultice made of "Jamestown [Jimson] weed" was used for burns, "Jerusalem oak" mixed with honey for "worms in the stomach," green leaves of "Stick-weed" to stop bleeding "either at the nose or elsewhere," "Snake root" mixed

¹² Yellow fever was seldom called by that name; it was referred to as "Barbadoes distemper," "the great sickness," "the great American plague," and "the bilious plague." New York City had five hundred deaths from this disease in 1702 alone. In 1772 almost every child in Charleston—about nine hundred—died of measles. Diphtheria, usually called "throat distemper," "eruptive military fever," or "cynanche trachealis," was nearly always fatal.



A colonial apothecary shop. (Courtesy of The New-York Historical Society, New York City)

with wine to restore the "vigor of the stomach effectually," the flesh of "Tara-pin" (turtle) for consumption, snake root and fern root for bites of poisonous snakes, and bear's oil for bugs, mosquites, and all kinds of "vermin."

There were also a number of "cures" available in the apothecary shops found in the larger cities. For example, Lignorum Anti Scorbutic Drops were advertised as "perfect cures" for "the most inveterate scurvy, leprosy, pimpled faces of ever so long standing, so as never to return again; also the king's evil, fistulas, old obstinate sores or ulcers, and may be taken by persons of the most delicate constitutions, without the least injury, in any season or climate, without hindrance of business." Or Stoughton's Cordial Elixir, "good for the stomach," could be purchased, along with Asthmatic Drops, "a never failing medicine for the most confirmed asthma and the longest standing, and all sorts of consumptions"; one bottle was usually sufficient, stated the advertisement.

The remedies prescribed by many doctors were probably no more efficacious than the common "household" ones. Indeed, some of the "cures" make astounding reading today. A typical treatment for "plague"—probably smallpox or yellow fever—was:

In the month of March take toads as many as you will alive, putt them in an earthen pott, so that it will be half full, cover it with a broad tyle or iron plate; then overwhelm the pott so that the bottom may be uppermost; put charcoales around it. Sett it on fire and lett it burn out and extinguish itself; when cold take out the toades, and in an iron mortar pound them very well.

The resulting powder was expected to be a perfect cure. Dr. Alexander Hamilton observed that the physicians of New York "study chiefly the virtues of herbs, and the woods there furnish their shops with all the pharmacy they use."

The oil of the turkey buzzard was prescribed for sciatica, eagle's flesh for gout, its powdered skull for migraine, its brain (drunk in wine) for jaundice, its gall for disorders of the eye, and its dung for tumors. A few of the more enterprising doctors developed "nostrums" and "proprietary medicines" by a "secret formula" that they advertised in the newspapers as sure cures for almost any and every disease. By the middle of the eighteenth century, it is true, calomel, quinine, and a few other medicines were being used by the better doctors, but the most prevalent treatment of almost every ailment, from the common cold to the most deadly fever, was "bleed, purge, and sweat."¹³ The jingle attributed to a Quaker doctor perhaps represented current medical practice:

When patients come to I
I physicks, bleeds and sweats 'em,
Then—if they choose to die,
What's that to I—I lets 'em.

Medical Training. It is no wonder that doctors prescribed such treatments, for though hundreds of men "practiced physick" and "dabbled in medicine," few had received formal training in the profession.¹⁴ Most practitioners never attended medical school, interned in a hospital, had an M.D. degree, or passed any sort of examination in medicine.¹⁵ Instead, the prospective physician would begin as an apprentice to some practicing doctor with whom he "read medicine" in the latter's home. His practical training was gained by accompanying the "master" on his visits, during which he learned by watching how to "bleed and cup," to apply mustard plasters, and to prepare and apply drugs. Thrown upon his own resources, the "young doctor" gradually learned by actual experience to enlarge his native skill in bonesetting, treatment of arrow and gunshot wounds, or reducing hernias, and eventually became "a bit of a surgeon." Throughout the era this was the common method of medical training.

After the middle of the eighteenth century, however, an increasing number of young men received their education at Edinburgh, Paris, Leyden, and other European medical centers.¹⁶ The establishment of the Pennsylvania Hospital (1751), the New York Hospital (1771), and the founding of "medical departments" at what are now the University of Pennsylvania (1765) and Columbia University (1768), reflecting a mounting interest in medicine on this side of the Atlantic, also helped to improve the standards of the profession. As a result of the formal training both at home and abroad, a number of physicians had achieved distinction by the outbreak of the Revolution. Conspicuous among

¹³ A Charleston physician, apparently with a sense of humor, advised: "Bleed and purge, bleed and purge—and, if your patient stays with you, bleed and purge some more."

¹⁴ Michael Wigglesworth and many other preachers "practiced medicine" as a side line.

¹⁵ A Virginia law of 1736 made a distinction between those who had "studied physic" at a university and taken a degree, and those who had "served apprenticeships in those trades."

¹⁶ Sixty-three colonists studied medicine at the University of Edinburgh alone between 1758 and 1788.

them were John Morgan, Benjamin Rush, William Shippen, and Cadwallader Colden.

Perhaps the slowest medical progress was in obstetrics. Midwifery—the delivery of babies—was left largely to women, and the practice of obstetrics was regarded with popular disfavor until about the middle of the eighteenth century.¹⁷ The first record of a man doing work in this field was that of Dr. John Dupuy of New York in 1745.¹⁸ Progress was equally slow in the associated fields of gynecology and pediatrics.

Psychiatry was virtually unknown, though there must have been many "mental cases." The state of surgery was deplorable; it consisted chiefly of amputations, not mollified by anaesthetics, the closest approach being liberal use of liquor or the chewing of a bullet. It was reported that when a pirate's wounded leg became gangrenous, the ship's carpenter sawed it off and seared the stump with a red-hot axe, and that the patient recovered. Dentistry consisted chiefly of tooth-pulling.¹⁹

Despite the backward state of the profession, or perhaps because of it, many laws were passed relating to health and medicine. A large number of these statutes were quarantine measures, chiefly concerning smallpox and other "contagious distempers" and "infectious diseases." New Jersey passed a law for the "suppression of mountebanks" (quack doctors), and New York in 1760 enacted the first colonial measure providing for a board of medical examiners because "many ignorant and unskilful Persons in Physick and Surgery in order to gain a Subsistence do take upon themselves to administer Physic and practice Surgery . . . to the endangering of the Lives and Limbs of their Patients." Several colonies regulated the fees of the "practitioners in physick."²⁰

It is difficult to estimate the income of a colonial physician, but the available records indicate that the medical profession was probably the most lucrative in colonial America.²¹ Drugs were scarce and expensive; they were usually dispensed by the attending physician and charged for separately to augment his income.²²

¹⁷ Mrs. Anne Hutchinson "practiced midwifery." Mrs. Elizabeth Phillips of New York boasted that she had delivered more than three thousand babies. One of the most successful midwives was Annetje Jensen, who once owned a large part of what is now New York City.

¹⁸ Dupuy's obituary included, "It may be truly said here, as David did of Goliath's Sword, There is none like him." Other prominent obstetricians were Dr. John Moultrie of South Carolina, Dr. James Lloyd of Boston (who practiced midwifery solely), and Dr. William Shippen, Jr., of Philadelphia.

¹⁹ Dr. Alexander Hamilton of Maryland watched a "greasy-thumbed fellow" pull a housemaid's tooth with a pair of blacksmith's forceps. The patient "made such screaming and squawking as made me imagine there was murder going forwards in the house."

²⁰ Virginia passed such a law in 1736, but it is doubtful if the statute was rigidly enforced.

²¹ One Virginia doctor was paid a thousand pounds of tobacco for twenty visits. Another received £3 for "setting a thigh." The standard Virginia charge for bleeding a patient seems to have been fifty pounds of tobacco. Many doctors complained of the difficulty of collecting fees, especially if the patient had not paid before he recovered.

²² The charges for the most common drugs in Virginia, in terms of tobacco: laxatives, twenty to fifty pounds; astringents, twenty to thirty-five pounds; opiate pills, thirty to one hundred pounds; and ointments, ten to forty pounds.

Medical Literature. Despite the busy and strenuous life of colonial physicians, many of them found time to write books and pamphlets in their field. More than one hundred such publications had appeared before 1789. About one third of them dealt with smallpox and the merits and demerits of inoculation for this dread disease.²³ Yellow fever was the theme of a score of books. There were also publications about diphtheria, pleurisy, gout, pregnancy (advice to "teeming women"), the nursing of children, diseases of old age, temperance, and *A Discourse upon the Institution of Medical Schools in America* (1765) by Dr. John Morgan, the "founder of American medicine."²⁴ One of the most significant medical books, *The Angel of Bethesda* by Cotton Mather, was not published until 1954.

Doctors also found time to participate in political affairs, to a greater extent than in any other period of American history. Next to lawyers, doctors were the most prominent professional men in politics of the era from 1763 to 1789. Scores of practicing physicians were members of the various provincial and national congresses in the "revolutionary generation." Five doctors were among the signers of the Declaration of Independence in 1776,²⁵ and several physicians were members of the Constitutional Convention of 1787.

Scientific Progress. The colonial era was not as devoid of scientific study and interest as is commonly supposed. A recent statement that "the intellectual streams were in large measure dried up in the arid wastes of theological disputation" may be largely correct with reference to the seventeenth century, but even then it should be observed that the Puritans viewed science as harmonious with religion. Certainly it is not true with reference to the eighteenth century. Perhaps the average colonist manifested no interest in scientific inquiry, except that of a very practical sort, such as agricultural experimentation. Yet, there were many persons—a few in the seventeenth century, many in the eighteenth—who achieved local distinction and even international recognition for their scientific researches and publications. As a result, a number became fellows of the Royal Society of London, founded in 1662 to promote scientific inquiry.

John Winthrop, Jr. (1606–1676), once governor of Connecticut, was probably the leading scientist of seventeenth-century America. He made the first systematic astronomical observations in the colonies and obtained the first telescope for Harvard. In addition, he did outstanding work in mineralogy, chemistry, and optics. Because of these varied scientific activities, he became the first colonial member of the Royal Society. Thomas Brattle of Massachusetts made

²³ The first medical publication in the colonies was Dr. Thomas Thacher's *Brief Rule as to Small Pocks* (1677). There was popular distrust of inoculation throughout the colonial period.

²⁴ Among the medical books were Benjamin Franklin's *The Horrour of the Gout* (1732); Dr. John Linning's *History of Yellow Fever* (1753); Cadwallader Colden's *Treatise on Wounds and Fevers* (1765); and John Hill's *The Old Man's Guide to Health and Longer Life; with Rules for Diet, Exercise, and Physic* (1775).

²⁵ They were Joshua Bartlett (New Hampshire), Matthew Thornton (New Hampshire), Oliver Wolcott (Connecticut), Benjamin Rush (Pennsylvania), and Lyman Hall (Georgia).

successful observations of Halley's comet in 1680, and his description of a solar eclipse in 1694 was published in the *Philosophical Transactions* of that society. Another New Englander, Paul Dudley, likewise had many papers published by the Royal Society, among which were scientific studies relating to such diverse subjects as sumac, bees, rattlesnakes, earthquakes, and fruit trees. He has been called the "first American horticulturist," and, in addition, his *Natural History of Whales* (1725) became the standard work on that subject. Cotton Mather, though partially diverted by the witchcraft controversy, was the "first significant figure in American medicine." He contributed more than a dozen letters on natural history and biology to the Royal Society's *Transactions*, his *Christian Philosopher* (1721) contained one of the first explanations of Newtonian physics, and his *Angel of Bethesda* was a major study in the field of medicine.

In Virginia, John Banister, John Clayton, William Byrd II, and John Mitchell achieved distinction for their work in botany and natural history, and the latter two were members of the Royal Society. As early as 1680 Banister sent fifty-two species of American insects to England and contributed a paper on American mollusks to the Royal Society. His publication on Virginia flora has been called the "first systematic paper upon natural history written in the colonies." John Clayton's *Flora Virginica* (1739-1743), based on his study of a wide collection of plants, was so highly regarded that it was published in Europe. William Byrd II, planter, government official, book collector, and author, wrote several papers for the Royal Society in the field of botany and natural history. John Mitchell, a medical doctor, applied the Linnaean system of plant classification, wrote the "first American treatise on the principles of science," achieved distinction for his method of treating yellow fever, and published in 1755 what has been called "the most important map in America."²⁶

The outstanding book on agriculture by a colonial writer was *Essays upon Field-Husbandry in New England* (1760), by Jared Eliot, a New England minister and physician.²⁷ James Logan, secretary of the Province of Pennsylvania, conducted numerous experiments in physiological botany, particularly on corn, and published a number of articles. He is also credited with formally introducing Newton's *Principia* into the colonies. One of the most eminent and versatile colonial scientists was Cadwallader Colden, onetime lieutenant-governor of New York. He wrote articles and books in the fields of history, anthropology, applied mathematics, botany, physics, medicine, and philosophy.²⁸ His classification of plants was published by the Royal Society of Upsala, Sweden, in 1744.

The first scientist to study both the flora and fauna of the South was Mark

²⁶ His *Map of the British and French Dominions in North America with the Roads, Distances, Limits, and Extent of the Settlements* figured in many boundary disputes. On it were laid down the first boundaries of the United States in the Treaty of Paris (1783). The map went through twenty editions before 1800.

²⁷ This work was based on thirty years of experimental research. The volume was reprinted in 1934.

²⁸ His best-known historical work was *The History of the Five Indian Nations of Canada . . .* (1747).

Catesby, an English author, artist, scientist, and fellow of the Royal Society, who came to Virginia in 1712. He spent the next eleven years in the South collecting specimens to send to England. *The Natural History of Carolina, Florida and the Bahama Islands* (two volumes 1731, 1743), which contained 220 colored etchings of birds, reptiles, insects, quadrupeds, and plants, all done by Catesby, is perhaps the finest and most beautiful contemporary publication pertaining to the natural history of the colonies.

Two important colonial scientists were John Bartram and his son, William. The elder Bartram established the "first botanical garden" in the colonies at Philadelphia in 1718, traveled up and down the colonies from Lake Ontario to Florida collecting rare specimens for the Royal Gardens in London, cultivated many exotic imported plants, and was acclaimed by Linnaeus as "the greatest natural botanist in the world." William Bartram's list of 215 American birds was the most important work in American ornithology for many years. Other pioneers in botany were Alexander Garden of South Carolina and Adam Kuhn of Philadelphia. The latter gave the first college course in the subject (1768), at what is now the University of Pennsylvania.

Both Harvard and William and Mary College were abreast of the scientific progress in the colonies. The first chair in philosophy and mathematics was held by the Reverend Hugh Jones at William and Mary (1717). Harvard established a similar chair ten years later, its first occupant being Isaac Greenwood, who offered courses in fluxions (calculus) and also gave "astronomical lectures." His successor, John Winthrop IV, one of the greatest scientists in America, gave lectures on electricity, discoursed on the cause of earthquakes, and wrote papers on sunspots and the transit of Venus. Ezra Stiles, president of Yale, applied Newtonian methods in his teaching and writing, and also calculated the true position of the sun and moon. James Bowdoin, another New Englander, published scientific papers, largely about electricity. David Rittenhouse, a Philadelphia instrument- and clockmaker by trade, made scientific studies in astronomy with the help of his homemade orrery, the first in the colonies.

It is generally accepted that Benjamin Franklin was the most distinguished scientist of colonial America. Perhaps best known were his experiments in electricity, which began in 1747, and he contributed, among other things, a vocabulary of electrical terms that is still used today. Drawing "lightning from the clouds" with his kite and key (1752) is an experiment well known to every present-day American.²⁹ Just as important were Franklin's efforts to interest others in the fields of science, business, philosophy, philanthropy, and politics, first through the Junto (1727) and then by founding the American Philosophical Society at Philadelphia in 1743, the "first truly scientific society in this country."

²⁹ Franklin's *New Experiments and Observations on Electricity, Made at Philadelphia in America* (1751) went through five editions by 1774.

Inventions. The colonists were not the inventive people that their descendants became, and it is obvious that there was no United States Patent Office to record the implements and "gadgets" developed during the early days. Nevertheless, there were a few inventions prior to nationhood that deserve mention.

Thomas Godfrey, a mathematician, invented a mariner's quadrant in the 1730's. Among Benjamin Franklin's numerous inventions were the "Franklin stove" (1742)—also called the "Pennsylvania fireplace"—the lightning rod (1752), and "bifocal spectacles" (1783). The Reverend Jared Eliot, better known for his book on agriculture, worked out a new process of smelting iron from "black magnetic sand."

Unbelievable as it may seem, David Bushnell built a submarine, *American Turtle* (1776), which almost succeeded in blowing up a British ship in New York harbor, and John Fitch invented a steamboat, launched on the Delaware River in 1787 and patented four years later. About the same time, James Rumsey was experimenting with a steamboat on the Potomac—decades before Robert Fulton's *Clermont* steamed up the Hudson!

Oliver Evans, one of the greatest American inventors of his day, developed a card-making machine (1777) that could "complete 150 pairs of cotton or wool cards from wire per day," an automatic flour mill (1785), and a "multi-tubular boiler."

Painting. The colonists were so preoccupied with making a living that they had little time, money, or inclination to cultivate art and music. Although it is true that the colonists produced only a few distinguished artists, most of whom lived at the very close of the era, it is incorrect to say that colonial America had no art and that its "only culture was agriculture." There were hundreds of colonial artists, most of whom were "face painters," but there were some who painted landscapes or who utilized religious, historical, and other subjects. Space permits mention of only a few of the better-known ones. William Read, who came to New England about the middle of the seventeenth century, was the first portrait painter "to practice in the British colonies." His best-known painting was that of Governor Richard Bellingham of Massachusetts (1641).

Among other early artists there were Jacobus Gerritsen Strycker, Henri Couturier, and Gerret Duyckinck, all of whom migrated from Holland to New York. Strycker's outstanding painting was that of "Adriaen Van der Donck"; Couturier painted "O. S. Van Cortlandt"; and Duyckinck made the stained-glass window for a church at Esopus and also painted "Mrs. Augustus Jay." Nathaniel Emmons, a native of Boston, did a portrait of the Puritan diarist Judge Samuel Sewall. Christopher Witt was one of Philadelphia's best artists. Joseph Allen and Thomas Child did good work in Boston. Jeremiah Dummer, who has been called the "first American-born artist," was both a painter and a silversmith. And Charles Bridges, a migrant from England to Virginia, painted "The Children of William Byrd."

Better known were four painters of the early eighteenth century: Gustavus

Hesselius, John Smibert, Robert Feke, and Jeremiah Theus. Hesselius, a Swede, came to America in 1711, and painted chiefly in Maryland and Pennsylvania. His "Last Supper" (1721) for St. Barnabas Church in Queen Anne's Parish, Maryland, was "probably the first devotional picture made for any church in the British colonies." The Scotch-born Smibert (or Smybert), who arrived in Boston in 1721, has been called "the first connecting link between the feeble painting of the American colonies and the main current of European art." He was the first well-trained artist in the English colonies, and his most famous work was a portrait of "Bishop Berkeley and His Family." Feke, a native of Long Island, was one of the better portrait painters, and perhaps influenced the much greater artist Copley. Among Feke's best paintings is one of "Brigadier General Samuel Waldo." Charleston, South Carolina, was one of the centers of art in America. Its most distinguished artist was Jeremiah Theus, who painted there from 1740 until his death in 1774. His portrait of "Miss Elizabeth Rothmaler," a Huguenot beauty, is one of the best pieces of colonial art; so skillfully done were some of his paintings that they have been confused with those of Copley.

The first American artist to achieve international recognition was John Singleton Copley. A native of Boston and the stepson of Peter Pelham, the engraver, Copley painted many of the notables of colonial New England. He exhibited his paintings at the London Society of Arts and in 1766 was admitted as a Fellow of the Royal Academy, though still under thirty years of age. Among his best-known works are his "Self-Portrait," "Epes Sargent," "Mrs. Seymour Fort," "Mary Storer Green"—done in pastel—and "The Boy with the Squirrel," which Benjamin West said had a "delicious colour worthy of Titian himself."³⁰

Benjamin West was distinguished both as a teacher and as the first American to gain great European prestige. Born of a Quaker family in Pennsylvania in 1738, he died in London in 1820. He spent most of his mature life in England, where he became president of the Royal Academy. Among the many painters trained by West in London were Charles Wilson Peale, Gilbert Stuart, and John Trumbull.

Peale, a native of Maryland, who studied with Copley at Boston and West in London, painted most of the distinguished Americans of the Revolutionary generation. In 1784 he established the Museum of Natural History in Philadelphia, and some years later founded the Pennsylvania Academy of Fine Arts. Stuart and Trumbull also became famous, but most of their work was done in the early Federal period and does not properly belong in a discussion of colonial art.

There were fewer engravers than artists, and they resided mainly in Boston. A woodcut of Richard Mather done in 1670 by John Foster, a schoolteacher, printer, and mapmaker, is the "earliest American engraving." The first Amer-

³⁰ A Tory during the American Revolution, Copley moved to London, where he painted until his death in 1815.

ican line engraving on copper plate was one of Increase Mather done by Thomas Emmes. Peter Pelham, perhaps the most widely known and certainly the most prolific colonial engraver, is credited with the first mezzotint in America. Paul Revere, better known as a silversmith, produced many engravings, the most famous of which, though one of his worst, was the "Bloody Massacre" at Boston in 1770. Amos Doolittle received considerable recognition for his engravings of the battles of Lexington and Concord (1775).

With the increase in quantity and quality of colonial painting, more people, particularly in the cities, began to "patronize the arts." John Smibert held an exhibit in Boston in 1735 of paintings and engravings copied from the works of the leading European artists. The Redwood Library, founded in 1747 at Newport, Rhode Island, was a pioneer in collecting artistic reproductions. The first recorded "exhibition of colonial art" was in New York City ten years later. The Charleston Museum, founded in 1773, was the earliest organization of its kind in the Southern colonies.

Music. The scarcity of musical instruments, the hostility of many churches to secular music, and the prevalent belief that music as a profession was "for persons beneath the rank of a gentleman" retarded the development of music in the colonies. From the beginning of settlement, however, there was vocal music of a sort. Psalms were sung in all Puritan churches, and secular songs and ballads remembered from the Old World were in vogue everywhere. A number of colonists of the "better sort" could play musical instruments, but for these "aristocrats" music was "merely one of the several social graces."³¹

The eighteenth century witnessed an improvement in both church and secular music, an increase in the number and variety of musical instruments, the use of pipe organs in some churches, the presentation of "popular concerts" and operas in the larger cities, the printing of "tunebooks," the opening of "singing schools," and the appearance of the first American songwriters. In 1712 the "first practical instruction-book on singing" was published at Boston by the Reverend John Tufts. The next year a pipe organ was presented to Queen's Chapel of that city by Thomas Brattle. About 1720 "singing societies" were started in various New England towns. The first "public concert" in the colonies was presented at Boston in 1731, and New York City followed suit five years later. The first "song recital" in the colonies was given at Charleston in 1733. An opera, *Flora or Hob in the Well*, was performed in the same city in 1735, and New York City staged its first production, *Gay's Beggar's Opera*, in 1750.

The Great Awakening, because of its emphasis on evangelism and revivalism, stimulated interest in church singing, but placed less stress on "psalmody" and more on the singing of hymns, particularly those of the great English theologian and composer Isaac Watts. The greatest interest in "classical music" was in the areas settled by the Dutch and Germans, particularly in the Moravian com-

³¹ Wills and inventories of the colonial era mention many musical instruments, particularly the violin, flute, harpsichord, spinet, and organ.

munity of Bethlehem, Pennsylvania, where the works of Bach, Handel, Haydn, and other great composers were played.

Possibly the most noteworthy development in musicology, though largely overlooked, was the emergence of "American composers." William Billings, a native of Boston, was the earliest and perhaps most important of these song-writers. A self-taught musician, and originally a tanner by trade, he became America's first "composer by profession." He taught singing, organized choirs, and composed six books of music, the best known of which was *The New England Psalm-Singer* (Boston, 1770). His most popular compositions were patriotic songs: "Europe" (1770), "America" (1770), and "Chester" (1778).

Other noted songwriters of the colonial and revolutionary eras were Josiah Flagg, Andrew Law, James Lyon, Daniel Read, Timothy Swan, William Tuckey, and Francis Hopkinson. Flagg directed a band in his native Boston and performed the works of Handel and Bach. His *Collection of the Best Psalm-Tunes*, engraved by Paul Revere, appeared in 1764.

Andrew Law, a native of Connecticut, a teacher and writer of many "tune-books" and a pioneer in the establishment of singing schools, is best known for "Bunker Hill" and "Blendon," and for his collection of *A Selected Number of Plain Tunes* (1781). James Lyon, native of New Jersey, Princeton graduate, and Presbyterian minister, is best known for *Urania* (1761), the first American collection of psalm tunes that included original compositions. His *Military Glory of Great Britain* (1762) praised British heroes and British causes, and contained the chorus "glory, triumph, vict'ry, fame, forever crown Britannia's name." Daniel Read, a Massachusetts comb-manufacturer, is remembered for *The American Singing Book* (1785). Timothy Swan, a New England composer of "striking originality," published three collections of songs: *The Songster's Assistant*, *The New England Harmony*, and *The Federal Harmony*. William Tuckey, who migrated from England to New York City in 1753, organized the Trinity Church choir and promoted its fame; it was he who directed in 1770 the first American performance of Handel's *Messiah*. In 1759 Francis Hopkinson, prominent Philadelphia lawyer and publicist, composed a song, "My Days Have Been So Wondrous Free," which is usually called "the first musical composition written by a native of the colonies."

The music from 1760 to 1789 reflected political sentiment to a considerable degree. Lyon's songs celebrated General Wolfe and other British heroes. Billings' "Europe" pleaded for conciliation and unity. After the failure of conciliation and the outbreak of hostilities in 1775, Nathaniel Niles wrote his stirring "Sapphick Ode" to the tune of Law's "Bunker Hill," and in 1778 Hopkinson wrote his "Toast to General Washington." In the same year Billings wrote a new set of words for "Chester," which became a "war song of the American troops." The most famous marching song of these troops was "Yankee Doodle" (1767).

There were many musical societies in colonial America, the first of which was the St. Cecilia Society of Charleston, organized in 1737 to give annual concerts

by "gentlemen performers." Also prominent were the Harmonic Society of New York and the Orpheus Society of Charleston. Philadelphia, Boston, and other communities had similar organizations by the time of the Revolution. The larger cities, increasingly conscious of the popular demand for "musical entertainments," responded by offering more frequent concerts and operas as the colonial era came to a close. Thus, in music as in painting, the people of America were starting to show a greater interest in artistic achievement.

The Colonial Theater. The colonists were even less interested in the drama than in art or music. In fact, the theater was nonexistent in the English colonies prior to 1700, and its progress after that date was slow. There were many factors retarding development of the drama, among which were the sparse and scattered population, the absence of large towns, the inadequacy of transportation, the glorification of hard work, and the prevalent attitude that the drama was a "shameful vanitie" and a "handmaiden of the devil," and the theater the "house of Satan." Despite the fact that English colonization of the New World began at the time Shakespeare was writing some of the greatest plays in the English language, the drama had many opponents in England, a fact Shakespeare himself bemoaned. The Puritans, for instance, denounced the theater as an immoral institution—"the dearest instrument of the devil to encompass the downfall of the righteous"—and they condemned actors as "parasites" and licentious persons who "entertained and defended the loose-living and luxury-loving court circle." When the Puritans gained political ascendancy in England, the theaters were closed in 1642 and not reopened until 1660, when "a more immoral type of drama was ushered in with the Restoration." Hostility to the theater was not a Puritan monopoly, for some outstanding Anglicans and Catholics also opposed dramatic productions. A "Daily Prayer" written by an Anglican cleric for use in Virginia asked the Lord to "fortifie" the colony against various temptations, including "Players, the scum and dregs of the earth." In 1609 a law was passed prohibiting actors to emigrate from England to Virginia. In the same year the Reverend William Crashaw preached a sermon in which he referred to the "three great enemies" of Virginia as "the Devil, Papists, and Players." Under the circumstances, it is not surprising that many colonial leaders brought with them to the New World a strange aversion to the writing and production of "stage-plays."

The first reference to "play-acting" in the colonies appears in the 1665 court records of Accomac County, Virginia, where three amateur actors who presented *The Bare and The Cubb* were ordered to "give a draught of such verses or other speeches and passages, which were then acted by them." The court found the passages innocent, acquitted the actors, and charged the "informant" with costs. In 1702 the students at William and Mary College presented a "pastoral colloquy," and the next year Anthony (Tony) Aston, an English "strolling player" who had played in "all the Theaters in London," according to his account, landed at Charleston, South Carolina, in his own words, "full

of Shame, Poverty, Nakedness, and Hunger:—I turned *Player* and *Poet*, and wrote one play on the Subject of the Country.”³² The records fail to show that this play was ever staged, though Aston remained in Charleston for about a year before moving on to New York, where, in the winter of 1703–1704, he spent his time in “acting, writing, courting, and fighting.” He returned to England in 1704.

The first play written and printed in the English colonies was published in New York in 1714 by its able governor Robert Hunter, who had known Addison and Steele in England. It was entitled *Androborus* (maneater), “A Biographical Farce in Three Acts, Viz. The Senate, The Consistory and the Apothecosis,” a scathing satire of Hunter’s political opponents, particularly the officials of Trinity Church who had opposed him because of his refusal to grant land to their parish. It was perhaps fortunate for Hunter that the play was only produced for his official household and immediate friends.

The first theater in the colonies was built at Williamsburg, Virginia, in 1716, under the leadership of William Livingston, a dancing master. Governor Alexander Spotswood recorded that on the king’s birthday in 1718 a play was presented before him by Charles Stagg and his wife Mary, the leading actors of this pioneer American theater. The *South Carolina Gazette* of January 18, 1735, announced that Thomas Otway’s tragedy *The Orphan or The Unhappy Marriage* would be presented in Charleston, and that tickets would be sold at forty shillings.³³ An anonymous author wrote “the first American prologue” for this play. In the same season the first opera in the English colonies, *Flora or Hob in the Well* was staged there, followed later by John Dryden’s *Spanish Friar*. The success of these performances led to the construction of “a building devoted exclusively to the stage,” which was opened during the 1736–1737 season. Meanwhile, interest in the theater was growing in other cities, notably New York and Philadelphia. On a 1735 map of Manhattan there is marked a “play-house,” located on the east side of Broadway just above Beaver Street. This may have been where the famous London dancer Henry Holt exhibited in 1739 a *New Pantomime Entertainment in Grotesque Character, called the Adventures of Scaramouch and Harlequin, or the Spanish Trick’d*, and where Farquhar’s *The Beaux’ Stratagem* was produced in the same season by a troupe of professional actors.

It was not until about the middle of the eighteenth century, however, that the theater made progress, with Philadelphia and New York taking the lead, but with considerable interest shown in Charleston, Williamsburg, Annapolis, and a few other towns. The first company of professional actors was organized at Philadelphia in 1749–1750 by Thomas Kean and Walter Murray, recent

³² *A Sketch of the life, &c of Mr. Anthony Aston, commonly call’d Tony Aston, written by himself: now all alive . . . To which is prefix’d. A sketch of the author’s life, written by himself* was published in London in 1731.

³³ This was an unusually high price. The customary price of tickets at New York and Philadelphia theaters in the late colonial period was from two to six shillings.

arrivals from London. Their first production was Addison's *Cato*. The company then moved on to New York in 1750, where it offered *Richard III*, with Kean in the title role of the hunchback king. Six different plays and three farces followed during the first season.³⁴ Within a few years the Kean-Murray repertory included twenty-four plays, mostly Restoration comedies and Shakespearean dramas. The company also "went on the road," giving performances at Williamsburg, Fredericksburg, Annapolis, and elsewhere. In 1751 a new company of actors headed by Robert Upton presented Shakespeare's *Othello* on the stage of the Nassau Street Theater in New York City. Despite the fact that it was the first American performance of this great play, the Upton company failed after a two-month season.

The year 1752 is a landmark in the history of the colonial theater. In that year William Hallam, bankrupt manager of a small London theater, sent a company of actors to America under the direction of his brother Lewis, whose beautiful wife was the leading lady and a gifted Shakespearean actress, and whose son, Lewis Jr., then only twelve years of age, became a favorite of colonial audiences. The company opened at Williamsburg on September 15 with a "double attraction" of *The Merchant of Venice* and the farce, *The Anatomist*, as an "afterpiece." After a year in Virginia the Hallams shifted to New York, where they built a new theater and played to large audiences. Within a short time their repertory included over forty plays, mainly Shakespearean dramas. In 1754 the company opened in Philadelphia and played for two months, despite the opposition of Quaker moralists and the need to stage their plays in an old warehouse. Later in the year the Hallams journeyed to Charleston, where they played for about four months. Shortly thereafter, Lewis Hallam died, and his widow married David Douglass, an actor from England.

In 1758 Douglass reorganized the old Hallam troupe as "the American Company" and returned to New York, where he encountered considerable religious and political opposition. After having gone to the expense of building a theater, he was not allowed to use it until he assured the officials that his plays would be "Moral, Instructive and Entertaining." He was finally permitted to stage his productions, though he found it expedient to advertise *Othello* as a "Moral Dialogue, in Five Parts, Depicting the Evil Effects of Jealousy and other Bad Passions." For years Douglass and his "wandering theater" played to large and appreciative audiences in New York,³⁵ Philadelphia, Annapolis, Williamsburg,

³⁴ Among the plays were Otway's *The Orphan*, Farquhar's *The Beaux' Stratagem*, and Congreve's *Love for Love*, all popular on the London stage. In their second New York season were added Farquhar's *The Recruiting Officer*, Addison's *Cato*, Dryden's *Amphytrion*, Gay's *Beggar's Opera*, and Rowe's *The Fair Penitent*.

³⁵ That the New York audiences were not always appreciative may be learned from the following advertisement that Douglass inserted in the *New York Mercury*: "A Pistole Reward, Will be given to whoever can discover the Person who was so very rude to throw Eggs from the Gallery upon the Stage last Monday by which the Cloaths of some Ladies and Gentlemen in the Boxes were spoiled, and The Performance in some Measure interrupted."

Charleston, and other towns—including Newport and Providence in New England, the region most hostile to the theater. In almost every community he had to build a “playhouse” as well as combat hostile legislation.³⁶

Despite the opposition of the moralists, criticism by the clergy, and restrictive legislation, interest in the drama grew. Larger theaters were built, among the most important being two constructed by Douglass: the Old South Street or Southwark in Philadelphia (1766), and the John Street Theater in New York City (1767). In their appearance, these structures were not “an ornament to the city,” but they were a marked improvement over the courtrooms, warehouses, and other places used previously.

On the other hand, some of these new theaters were quite pretentious for the time. They had both boxes and galleries, and a total seating capacity of about three hundred. Tickets, costing eight shillings for boxes and the pit (orchestra) and four shillings for the gallery, could be purchased at the leading local printers and coffee houses, as well as at the door. Occupants of the more expensive seats had to reserve them in advance, and to hold them, they sent their servants early to occupy them until the evening performance began, generally at seven o’clock.

The Prince of Parthia, “the first American tragedy,” written by Thomas Godfrey of Philadelphia, and the first American play to be professionally staged, was offered at the Southwark Theater on April 24, 1767. *Pon teach: or the Savages of America*, a drama about the famous Ottawa chieftain, Pontiac, was published by Major Robert Rogers in 1766, but this “first tragedy on a native subject” and “our earliest problem play” was never staged in the colonies, although it was in London. *The Contrast*, by Royall Tyler of Massachusetts and Vermont, shown in New York in 1787, was the “first American comedy to be produced by a professional company,” and one of its characters, “Jonathan,” was the first of many “stage Yankees.”

³⁶ A Pennsylvania law of 1700 prohibited “stage-plays, masks, revels” and other “rude and riotous sports.” This law was disallowed by England, as were similar Pennsylvania laws of 1709 and 1711. In 1709 the governor’s council of New York prohibited “play acting and prize-fighting.” After 1750 several colonies passed laws against the theater: Massachusetts (1750), Pennsylvania (1759), Rhode Island (1751), and New Hampshire (1762).

Opposition to “British players” in New York led to the destruction in 1766 of a theater Douglass had built.

THE GREAT WAR FOR THE EMPIRE

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The treaty of Utrecht (1713) left France defeated and humiliated in both the Old World and the New. There was agitation to abandon the remaining French possessions in America before they, too, were seized by the rapidly growing English colonies, such losses would only subject France to further humiliation. This pessimistic feeling soon gave way to renewed competition with hated England. Thus, by 1720 France was again challenging the English definition of Acadia. To France it meant only the present Nova Scotia, but England included New Brunswick and the Gaspé Peninsula as well. Another point at issue was the English protectorate over the Iroquois, the French refusing to admit that the territory of the Six Nations extended into the Ohio Valley.

Renewed Anglo-French Rivalry. These challenges were accompanied by measures to increase French military strength. In 1720 the French constructed the powerful fortress of Louisbourg on Cape Breton Island, thereby protecting the sea approaches to the St. Lawrence. In addition, ships from that fort were soon interfering with New England fishermen along the Grand Banks. Some ten years later a fort (St. Frederick) at Crown Point on Lake Champlain was established to guard the southern approach to Quebec and Montreal. Fort Niagara, built in 1720, would not only maintain French dominance of the eastern Great Lakes, but establish a potential base of operations against the Iroquois. The Lake Erie-Maumee-Wabash region was gradually protected by a chain of posts: Miami at the portage, and Quiatanon and Vincennes on the Wabash. Missions, posts, and forts were also constructed along the Mississippi and its tributaries. The most important was at New Orleans (1718), a town regarded as the southern capital of New France.

Another type of defense was undertaken when the French tried to persuade the Acadians, many of whom were dissatisfied with the new English rule, to move to, and thereby strengthen, Cape Breton Island. Still another method was the attempt to effect alliances with the warlike Abenaki and other New England tribes. Jesuit missionaries, headed by Sebastian Rale, were leaders in this movement.

The English were not so active. Their principal defensive action was the building of Fort Oswego on Lake Ontario to counterbalance the French Niagara. Yet, the English had other sources of strength. Their colonial population was increasing rapidly, and with it came territorial expansion. Thus, by the middle of the 1730's there was an unbroken line of English settlement from Maine to Georgia. Moreover, trappers and traders, moving westward, were challenging French domination in the Ohio Valley. And the English settlers were firm in their determination to maintain their new homes.

Despite the renewed rivalry in America, the respective mother countries made several efforts to keep the peace. At Paris in 1719 a commission met to try to settle the disputed boundary in the Hudson's Bay area, and by 1730 both nations agreed to withdraw from the Caribbean island of St. Lucia until its disposition could be determined.

Anglo-Spanish Rivalry. Spain had likewise been humiliated at Utrecht; her principal setbacks were the loss of Gibraltar and acceptance of the Asiento. In addition, she had long-standing grievances against Britain that still rankled in her memory: the depredation of Hawkins, Drake, and other "sea dogs" of the sixteenth century; the failure of Philip II to dominate the English throne and church; the defeat of the Armada; the permanent "trespassing" of English colonists on territory she claimed in the New World; and the loss of Jamaica in 1655 to the power of Cromwell.

These grievances became more onerous in the period after Utrecht. Spain protested more and more that England was not living up to her part of the Asiento. Smuggling of goods into Spanish-American ports was constantly on the increase, aided in no small part by the rule that allowed English ships "in distress" to enter such ports and by the tendency of local Spanish officials to "wink" at such evasions when their palms were sufficiently greased by the smugglers. The one five-hundred-ton ship a year permitted under the Asiento miraculously was able to unload at Porto Bello on the Isthmus the cargoes of a whole fleet that stood conveniently by. For example, in 1717 the permitted ship had goods valued at more than £250,000 put ashore. Of even more recent date was the English settlement of Georgia, the buffer colony that hemmed in Florida, trespassed on claimed Spanish territory, and challenged Spain's dominance of the southeastern fur trade. Spain asserted that Georgia was established in defiance of the Treaty of Madrid (1670), which recognized the principle of effective occupation in America.

Britain, on the other hand, was incensed when Spain, in an effort to end the illegal trade in the Gulf of Mexico, levied heavy penalties on English sea captains caught in these nefarious practices. To make matters worse, Spanish warships stopped English merchantmen sailing anywhere in the Caribbean or the Gulf to search for contraband. The searchers did not always discriminate between legal and illegal commodities, with the result that in 1738 alone aggrieved English owners asserted they had lost cargoes to the value of £95,000. The English government itself was worried about the first Family Compact (1733),

under which Spain and France agreed on mutual defense of their colonial empires, as well as on a policy to weaken the economic strength of England. Another cause for complaint was the Spanish suspension of the *Asiento* four years before the stipulated terminal date.

Thus, both countries had reasons for war—or so they believed—but neither wanted to be the aggressor. Several attempts were made to settle the differences by diplomacy. Most notable was the Treaty of Seville in 1729, in which the signatories agreed to solve their boundary differences in America and to promote freedom of the seas. When the Convention of Pardo met ten years later to extend the cooperative features of the Seville arrangement, however, England rejected the move.

The War of Jenkins' Ear. An important reason for the British change of heart was the growth of nationalistic feeling, particularly among English merchants and shippers, so that Spanish interference with trade was increasingly resented. Prime Minister Robert Walpole, averse to war, seemed to have the situation well under control until Captain Robert Jenkins, actually a smuggler, aroused the nation to martial pitch with his vivid description of the stopping of his ship in the Caribbean, his heroic effort to defend his employers' goods and the honor of his country's flag, and the resultant loss of his ear in the magnificent and patriotic cause. Thus there started the Anglo-Spanish War, more popularly called the War of Jenkins' Ear, in June 1739.

Actually, there had been sporadic fighting even before the formal opening of this contest. The respective colonists along the unsettled Georgia-Florida boundary were frequently exchanging blows, and English loggers in Honduras often came to grips with the Spaniards attempting to dislodge them. The chief events of the war proper began with the attack by General James Oglethorpe upon Spanish outposts along the St. John's River in Florida. He captured Forts San Francisco de Pupo and Picolata in January 1740. Encouraged by these initial victories, he then lay siege to St. Augustine for two months in the late spring and early summer, but despite superiority in numbers, he was unable to penetrate the Spanish defenses. Nor could he continue the siege, because of fear that his line of communication might be cut. A similar expedition was also thwarted in 1743. In neither attack did the English colonists cover themselves with glory. Poor leadership, failure of other colonies, with the possible exception of South Carolina and New England, to give support, and the general absence of cooperation were largely responsible for the lack of success.

Meanwhile, it was the enemy's turn to attack. In 1742 a large Spanish naval force from Havana and St. Augustine transported some four thousand troops to St. Simon's Island off the Georgia coast. Oglethorpe quickly gathered a heterogeneous force to guard Frederica, the strongest Georgia post. The invaders were routed and, during their retreat they fell into a disastrous ambush. Shortly after this battle of Bloody Marsh (July 7, 1742) the Spaniards gave up their effort. Another expedition against Brunswick on the North Carolina coast brought initial victory, but the aroused Carolinians ultimately beat off the

enemy. There were several more raids on other parts of the southern coast that likewise failed in their objectives.

In another phase of the war, Admiral Edward Vernon, accompanied among others by Lawrence Washington, gained an overwhelming victory over the Spaniards at Porto Bello, an important commercial center that he practically destroyed. Encouraged by this conquest, the British planned to reduce all opposition in the West Indies and Gulf region, despite Vernon's protest that it could not succeed. Approximately 120 ships, with twelve thousand troops and fifteen thousand sailors, left England for this purpose. At Jamaica some thirty-six hundred men from every colony, motivated more by a desire for plunder than by patriotism, added their weight to the expedition. The attack on the principal objective, Cartagena, opened on March 9, 1741, but the anticipated victory never materialized. Dissatisfaction with Brigadier General Thomas Wentworth's leadership, poor cooperation, lack of discipline, tropical diseases, and a stout Spanish defense combined to thwart the English efforts. By April 11 the campaign was abandoned; two thirds of the attackers had succumbed to either enemy bullets or disease.¹ Yet, this was the first campaign in which troops from all thirteen colonies fought in the British army.

Perhaps the most spectacular incident of the war was performed by Captain George Anson of the *Centurion*. Originally sent to aid Admiral Vernon, Anson learned en route of the failure of the Cartagena expedition. Concluding it would be too risky to proceed to the Isthmus, he sailed around the world, capturing many Spanish treasure ships on this roundabout return to England. On the other hand, the concentration of the English navy in the Gulf of Mexico enabled Spanish privateers to ravage colonial shipping elsewhere, especially along the southern coast.

King George's War. This fruitless contest between England and Spain soon merged into a broader struggle. Europe had been restless for a number of years, and that restlessness was touched off when Frederick the Great of Prussia took advantage of the accession of Maria Theresa to the Austrian throne to seize Silesia in December 1740. In the following spring France allied with Prussia, hoping to gain thereby the Austrian Netherlands (the present Belgium). Two years later the second Family Compact was signed, under which France and Spain promised to defend each other's possessions in both Europe and America, and France also agreed to help Spain regain Georgia and break the Asiento. This compact brought Spain into the European struggle, and in turn it made France and England opponents again in March 1744. England entered that contest—known as the War of the Austrian Succession, with its American counterpart called King George's War—so that the Low Countries, just across the Channel from her, would not fall into the hands of either France or Prussia.

Because the respective mother countries paid little attention to the American phase, King George's War consisted largely of sporadic raids in which frontiers-

¹ Only six hundred American colonials survived this campaign.



Sir William Pepperell and his Family. (Portrait by John Singleton Copley, Courtesy of The North Carolina Museum of Art)

men and Indians were the major participants. The great exception was the campaign against Louisbourg, planned chiefly by Governor William Shirley of Massachusetts, with the enthusiastic support of New England generally, which increasingly disliked and feared French interference with its shipping and fishing. Religion also played an important part. The New Englanders could not forget the almost constant Indian raids along their northern frontier, which were blamed on Jesuit influence. In addition, the fervor promoted by the Great Awakening was still prevalent; one prominent minister wrote, "The heavenly shower was over; from fighting the devil they must turn to fighting the French."

William Pepperell of Maine was placed in command of the land forces, consisting of some forty-three hundred men, chiefly New Englanders. What Pepperell lacked in military experience he more than made up for in ability to get along with his troops. Commodore Peter Warren, with three warships from the West Indies, led a simultaneous attack by sea. Although overwhelmingly outnumbered, the French put up an heroic defense of forty-nine days before capitulating in the middle of June 1745. This Louisbourg campaign was remarkable, nevertheless, in that "it had a lawyer [Shirley] for contriver, a merchant [Pepperell] for general, and farmers, fishermen, and mechanics for soldiers." France made two fruitless efforts to recapture this important post; poor weather thwarted the first, an English fleet the second. A more ambitious colonial plan for a simultaneous attack on Quebec and Montreal, in which troops from seven colonies were ready to participate, did not materialize in 1747 because of the failure of expected British help to arrive.

After August 1745 towns along the border, especially in the Maine sector,

were continuously raided by French and Indians, with resultant loss of colonial lives and property. William Johnson, an Indian trader of the Mohawk Valley and eventually New York commissary for Indian affairs, retaliated by arousing the Iroquois to the warpath, and there was considerable fighting in central New York. The French were able to penetrate as far as Saratoga, which was burned in November 1745, and even attacked Albany.

In Europe and Asia the contest was similarly inconclusive, and both major opponents became tired of fighting. In October 1748 France and England reached an agreement, the Treaty of Aix-la-Chapelle, that provided for a return of all territory captured during the war. This *status quo* was most displeasing to the English colonies in America, particularly the New England provinces. The restoration of Louisbourg to France was a bitter blow. They had spent money and manpower in the successful campaign, only to learn that the mother country had returned the fortress without asking their approval. Even the subsequent Parliamentary reimbursement of £235,000, most of which rightly went to Massachusetts, did not satisfy them, nor did knighthood for Pepperell. The colonies did not realize, however, that the *status quo* helped England elsewhere. She was able to keep France out of the Netherlands, and she regained Madras, which France had captured in India. Yet, even a critical Englishman, could write, "The British ministers gave up the important island of Cape Breton for a petty factory in the East Indies." Had England kept Louisbourg, all of Canada might have been within her easy grasp.

The Treaty of Aix-la-Chapelle did not actually settle the major issues of balance of power in Europe, supremacy in India, or the rival claims in America. Therefore, it was realized in all areas that the treaty merely furnished a temporary breathing spell until France and England were again ready to test their strength in what might be the conclusive aspect of this worldwide struggle.

The Battle of the Maps. The test of strength soon began, and the years immediately following the Treaty of Aix-la-Chapelle were filled with activity on both sides, especially along the long frontier. Each side made extravagant claims as to the territory it owned, based on discovery, grant, or settlement; these conflicting claims are known as the "battle of the maps."

Though there were many danger points as a result of this rivalry, four areas were decidedly critical. One was the Nova Scotia region, control of which was important strategically and economically because of the fisheries. The boundaries of Acadia had not been settled at Aix-la-Chapelle, so that after 1748 both sides redoubled their efforts in that sector. A special commission provided for in the treaty got nowhere. As diplomacy failed to settle the issue, each party resorted to more tangible actions. In Nova Scotia, England built the town of Halifax and then promoted a colonizing campaign that brought four thousand people to the new community by 1752. Despite this growth, the French outnumbered the English in the whole area. And to make doubly sure that the Acadians remained loyal, the French increased their religious activities among

the inhabitants. In addition, they constructed Fort Beauséjour at the narrow neck of the peninsula. Britain retaliated by fortifying nearby Beaubassin.

A second trouble spot was the Hudson-Lake George-Lake Champlain waterway. The French dominated the northern sector, especially the Richelieu River area, whereas the English controlled the southern part as far north as several miles above Albany. The intervening strip was in constant dispute. The third arena was along the Great Lakes, valuable as a fur-trading region. The French controlled the St. Lawrence entrance, as well as the Ottawa River, and had erected forts at strategic points, of which Frontenac, Niagara, and Detroit were the most important. England, on the other hand, dominated the Mohawk Valley, with Fort Oswego, counterbalancing Frontenac, as the chief post.

Rivalry in the Ohio Valley. The fourth danger point, and the one that proved most critical, was the Ohio Valley, despite the fact that it was the least populous region. Its significance lay in the profits that might be derived from the fur trade. To the French it was additionally important because it provided the shortest link between Canada and New Orleans, and under French control they could "join hands behind the backs of the English." The British felt that they rightfully owned the valley because of prior discovery and settlement, and because of the dominant position of the Iroquois there. The English colonies also wanted the territory for expansion; this was especially true of the Virginians, who were faced with the problem of soil exhaustion and sought virgin lands.

The French opened the struggle for supremacy in the Ohio Valley when the Marquis de la Galissonière, governor of Canada, sent Céloron de Bienville to explore and possibly seize the whole district. With more than two hundred men Bienville visited the Allegheny, Ohio, Miami, and Maumee river country, working on the theory that it was all French territory, in line with his sovereign's statement: "The Ohio belongs to me. It is a French river." To substantiate the claim, he buried lead plates with inscriptions announcing the sovereignty of the king of France. As for the Indian tribes in the valley, Bienville warned them not to trade with the English "robbers." He and his superiors also denied that the Iroquois had any title to land there.

In 1752 the new governor of Canada, the Marquis Duquesne de Menneville, assumed a still more vigorous policy. A string of forts was built at strategic points in the eastern part of the valley, of which the most prominent were Presqu'Isle (the present Erie, Pennsylvania), Le Boeuf at the portage of French Creek (a tributary of the Allegheny), and Venango (the present Franklin, Pennsylvania) at the confluence of the Allegheny River and French Creek. Moreover, the French drove English traders from the valley and destroyed Pickawillany (the present Piqua, Ohio), the westernmost English trading post.

Meantime, the English had not been idle. Instigating the interest in the Ohio Valley were land speculating companies,² rather than the English government.

² See Chapter 28.

One of the first of these, the Ohio Company, had as its objectives the development of trade with the Indians of the Ohio Valley, the building of forts and settlements to encourage colonists to move there and buy land from the company, and the strengthening of British control. The company first established a storehouse on the Potomac near Will's Creek, which subsequently developed into Fort Cumberland. Then it sent Christopher Gist, a surveyor and frontiersman of North Carolina, to explore the tract of two hundred thousand acres that had been promised by the king. Another who participated was George Croghan, a well-known trader and Indian agent of Pennsylvania. A road was built across the mountains to facilitate both trade and settlement. In 1752 Redstone Old Fort was constructed at the union of the Monongahela River and Duncan's Creek (the present Brownsville, Pennsylvania). These and other English activities caused the French to step up their own efforts.

The English government entered the picture in the summer of 1753 when Lord Holderness, secretary of state for the Southern Department, informed all the colonial governors

that in case the subjects of any Foreign Prince of State, should presume to make any incroachment on the limits of His Majesty's dominions, or to erect Forts on His Majesty's Land, or comit any other act of hostility, you are immediately to represent the injustice of such proceeding, and to require them forthwith to desist from any such unlawful undertaking; but if notwithstanding your requisition, they should still persist, you are then to draw forth the armed Force of the Province, and to use your best endeavours to repell force by force.

Governor Robert Dinwiddie of Virginia, who, incidentally, was a member of the Ohio Company and a prime land speculator, was the first to act upon this letter. In November 1753 he commissioned the twenty-one-year-old George Washington, best known as a surveyor and a member of a prominent Virginia family but to Dinwiddie already a "Person of Distinction," to warn the French of their encroachment on British territory. Washington gathered a small party, headed by Christopher Gist, to go with him on the perilous journey. He made numerous, though unsatisfactory, contacts with the Indians along the route, conferred with Phillip Joncaire, the French agent, and visited Forts Venango and Le Boeuf. At the latter post Washington informed Commandant Legardeur de St. Pierre that "the lands upon the River Ohio . . . are so notoriously known to be the property of the Crown of Great Britain that it is a matter of equal concern and surprise . . . to hear that a body of French forces are erecting fortresses . . . within his Majesty's dominions." St. Pierre replied that France was the owner of the territory in question, and "as to the summons . . . to retire, I do not think myself obliged to obey it."

Before Washington returned to Virginia with his unsatisfactory report, he reached the confluence of the Monongahela and the Allegheny, the so-called forks of the Ohio. He quickly realized that this would be a strategic site for an outpost, and recorded in his diary:

I spent some time reviewing the Rivers and the Land in the Fork; which I think extremely well situated for a Fort, as it has absolute Command of both Rivers.

When Dinwiddie learned of Washington's rebuff, he commissioned Captain William Trent to build a fort at that vantage point. The next month, February 1754, Washington and a larger force were sent to assist Trent, but before the new group arrived, Pierre de Contrecoeur led a French attack, drove Trent out, and started construction of Fort Duquesne on the same site.

Washington continued to be active in the area, and on May 28 he encountered a small French force under Coulon de Jumonville at Great Meadows (near the present Uniontown, Pennsylvania). Jumonville and nine of his men were killed and twenty-one captured in the ensuing fight. To the English it was a regular battle; to the French it was a British act of treachery—they considered that Jumonville had been "assassinated."

The French and Indian War. Much more important than this particular controversy was the fact that the battle at Great Meadows marked the opening of the French and Indian War. It differed from the earlier intercolonial struggles in that it formally opened in America and did not spread to Europe until two years later, to be known there as the Seven Years' War. The whole struggle has often been called "the first World War" because it extended to America, Europe, and India. More recently, it has been referred to as "the Great War for the Empire" because of its importance to the future of Great Britain.

In America the French had certain sources of strength: unified colonial control and resulting higher military efficiency, an effective army already on the scene, competent leaders, strong forts at key points, and many Indian allies. The French weaknesses lay in the large territory to be defended, a population (between sixty-five and seventy thousand) scattered over the broad expanse of New France, an economy based on furs and the Indian trade, and a home government that had lost its earlier vigor and that was conspicuous for its lack of wealth and credit. British strength lay in her colonial population, which was nearly fifteen times as large as that of the French; a sounder, more diversified colonial economy; an informal alliance with the Iroquois, the strongest Indian confederacy in America; the inclination of the powerful Cherokee in the South to support the English cause; the largest navy in the world; and ultimately, the leadership of William Pitt. But there were notable weaknesses, too. The English colonies had no unified organization, and the several provinces were at odds with one another. There was a common feeling that the war was primarily a western problem; let those living along the frontier provide their own defense. Moreover, the British military leaders did not make as effective use of colonial forces as they might have. The absence of colonial cooperation was demonstrated just before the outbreak of hostilities. Dinwiddie tried to persuade other colonies to support a military expedition into the Ohio Valley; although several assemblies did promise to participate, when the time for action came their troops were not available. Consequently, the Virginia governor was compelled

to say, "A governor is really to be pitied in the discharge of his duty to his king and country, in having to do with such obstinate, self-conceited people."

Following the first encounter of the war, Washington constructed Fort Necessity at Great Meadows. It was not to remain long in English hands, however, for Captain Louis de Villiers, brother of Jumonville, laid siege to it. On July 4, 1754, Washington was compelled to surrender, but the French allowed him and most of his men to return to their homes. Thus, by the summer of 1754, the French were in undisputed control of the Ohio Valley.

The Albany Congress. Even while the French were driving the English from that valley, twenty-three delegates, headed by Benjamin Franklin of Pennsylvania, William Johnson of New York, a prominent friend of the Iroquois, and Judge Thomas Hutchinson of Massachusetts, had gathered at Albany. The meeting was in response to a letter from the Board of Trade to seven governors in September 1753, which stated:

When we consider of how great consequence the friendship and alliance of the Six Nations is to all His Majesty's Colonies . . . we think it for his Majesty's Service that you should take the very first opportunity of representing . . . of how great importance it is . . . to preserve the friendship and affections of the Indians and the fatal consequences which must inevitably follow from a neglect of them; that you should press them to join with and support you in every measure you should find it necessary to pursue in order to fix them in the British interest . . .

The colonies invited to attend the session with the Iroquois at Albany were New Hampshire, Massachusetts, New York, New Jersey, Pennsylvania, Maryland, and Virginia. New Jersey failed to answer the summons, and Virginia was represented by Lieutenant-Governor James DeLancey of New York, who was presiding officer of the meeting. Connecticut and Rhode Island, though uninvited, decided to participate.

The first action of the Albany Congress, which opened June 19, 1754, was to hold a conference with about 150 Iroquois chiefs. When the matter of an alliance was broached, the Indians made a series of impossible demands on the colonists. There were also a number of Iroquois complaints about the English failure to protect them in the past, as well as about the current unpreparedness. Hendrick of the Mohawks undoubtedly expressed the views of many other Indians when he taunted the colonial delegates with:

You are desirous that we should open our minds, and our hearts to you; look at the French, they are Men, they are fortifying everywhere—but, we are ashamed to say it, you are all like women bare and open without fortifications.

Then the delegates tried to persuade them with many presents, but this did no good; the Iroquois left the meeting without making any promises as to their future position. Their dissatisfaction with the English was most apparent. Fortunately, however, most of the tribes did support the English during the French and Indian War because of their hatred of the French and their Indian allies—the result of attacks on their villages and lands.

While these abortive meetings with the Iroquois were in progress, a committee of seven delegates was considering several proposals for an intercolonial union, which was deemed "absolutely necessary for their preservation." Meschech Ware of New Hampshire, Thomas Hutchinson, John Peters of Pennsylvania, and Benjamin Franklin all offered plans for such a union, but the one presented by Franklin became the basis for the so-called Albany Plan of Union. It provided first of all for a president-general "to be appointed & supported by the Crown," who would be chief executive. The legislature, called a grand council, was to be chosen by the assemblies of eleven colonies (Delaware and Georgia were not included). The total membership in the grand council was suggested to be forty-eight, distributed among the colonies on the basis of both wealth and population. This legislature was to be empowered to exercise general control over Indian affairs, including the right to purchase land from the tribesmen in the name of the crown, to raise and equip an intercolonial army and navy, to provide suitable forts and other means of defense, and to enact the necessary laws, including tax measures, for executing its policies. The president-general would have veto power over all legislative actions, and, in turn, the crown had the final word.

When this Plan of Union was submitted to the several colonial assemblies for approval, it met with a decidedly cool reception. They either failed to ratify it or rejected it completely. The general reasons for their actions were the individualism of the colonies, thinking it was more or less supreme within itself; the feeling that the plan would lessen the authority of the colonial assemblies and lead to greater English supervision of local colonial affairs; the belief that heavier taxation would result; and the feeling of special interests, especially the land speculating companies, that they would be restricted. It cannot be said that Franklin and Governor William Shirley of Massachusetts, who had fought hardest to push the plan through the Albany Congress, were surprised. Indeed, Franklin wrote even before he learned of the complete rejection:

All the Assemblies in the Colonies have, I suppose, had the Union Plan laid before them, but it is not likely, in my Opinion that any of them will act upon it so far as to agree to it, or to propose any Amendments to it. Everyone cries, a union is absolutely necessary, but when they come to the Manner and Form of the union, their weak Noddles are perfectly distracted.

England felt it unnecessary to act on the Plan of Union because the colonies had already rejected it, but it is doubtful whether she would have allowed the proposal to become effective even had the assemblies endorsed it. In substantiation of this belief, England refused to act upon a strikingly similar plan that originated in her own Board of Trade. Thus, neither the colonies nor the mother country supported a movement for closer colonial accord at a time when such cooperation was sorely needed.

Braddock's Defeat. Even though England did nothing at the time to promote colonial cooperation, she was compelled to do something about the military aspect of the struggle in America. General Edward Braddock reached the col-

onies in April 1755 to become commander-in-chief of British forces. His first campaign was aimed at capturing Fort Duquesne. With some fourteen hundred regulars and a band of 450 colonial militia under Lieutenant Colonel George Washington, he set out for his objective along a route that was difficult and long. A road had to be literally carved through the wilderness to transport the heavy cannon he insisted on taking; though this slowed the march, the movement of those guns was a remarkable achievement. Along the line of march the expected Indian allies did not materialize, nor did Braddock obtain as much colonial military support as he had anticipated, and many of the colonials who did go along could not be called competent. When he reached the Monongahela River at a point some eight miles from his objective, he was attacked by Pierre de Contrecoeur and nine hundred French and Indians. In the ensuing Battle of the Wilderness on July 9, the English were routed, Braddock was mortally wounded, and Washington led the defeated survivors back to Fort Cumberland. The young Virginian said about this encounter, "We have been beaten, most shamefully beaten, by a handful of Men." Much has been written about this defeat, especially to the effect that the English troops were unprepared for frontier fighting and that the colonials prevented total annihilation of the British forces. A study by Stanley Pargellis blames the defeat, however, principally on incompetent British leadership as judged by contemporary standards. He believes that there was not sufficient space between the several regiments along the line of march, thereby decreasing the mobility of the whole; that there was not a sufficient number of guides and flankers; and that "the main body was either ordered or permitted to advance, contrary to European rules, before its officers knew what lay ahead."

Even while this defeat was being suffered, the English faced another setback along the northern boundary. Governor Shirley had planned an elaborate campaign against Fort Niagara, only to have Admiral Edward Boscawen, whose fleet was an essential part of the operation, show mismanagement and poor judgment. The naval leader allowed a French fleet to slip through his blockade to carry reinforcements to the fort, thereby making any English attack unwise.

Some consolation was gained, on other hand, when Colonels Robert Monckton and John Winslow, in command of some two thousand New Englanders, captured Fort Beauséjour on June 19, 1755, to mark the beginning of British control of the whole region around the Bay of Fundy. Influenced in part by Jesuit missionaries, not all the French inhabitants of Acadia were loyal to the new regime. Hence, before the year was over, Governor Charles Lawrence of Nova Scotia felt compelled to send many Acadians to other parts of America, particularly to Louisiana and South Carolina. At least six thousand were ultimately transplanted, and perhaps as many more fled to escape forcible removal. Many French villages, notably Grand Pré, were destroyed,³ and the British leaders hoped that English settlers would enter in large numbers to ensure British control of the disputed area.

³ Henry Wadsworth Longfellow's *Evangeline* is based upon this incident.

Meantime, in September 1755 Colonel William Johnson, again with New England troops and Indian allies, constructed Fort William Henry on Lake George. From this vantage point he was able to defeat Baron de Dieskau on September 8. But the full fruits of this victory did not materialize, because discontent among Johnson's troops prevented him from pushing his advantage against Fort St. Frederick.

Broadening the War. In Europe, England was naturally concerned about the fate of Hanover, the point of origin of the Hanoverian kings in England. Austria, through her position in the Holy Roman Empire, had been Hanover's immediate protector, one reason that England had sided with her in the War of the Austrian Succession. Now, however, Austria and France, England's current enemy, became virtual allies, and thus Hanover might fall to France. Therefore, in January 1756 England and Prussia formed an alliance, followed in May by a similar formal agreement between France and Austria. Thus, both major powers switched allies in what is known as the Diplomatic Revolution. In the middle of May, England declared war on France, to open the European phase of the struggle—the Seven Years' War. It began just as disastrously for England as had the French and Indian War in America, for in June she lost Minorca.

Back in America, Louis Joseph, Marquis de Montcalm, an excellent soldier, leader, and strategist, became commander of the French armies, and he brought with him numerous reinforcements. England also sent a new commander-in-chief, John Campbell, Lord Loudoun. Montcalm's first campaign resulted in victory. From his base at Fort Frontenac he captured Fort Oswego early in August 1756.

The year 1757 was relatively inactive as far as fighting in America was concerned. The most ambitious effort was Loudoun's plan to capture Louisbourg. By the end of June he had collected a large army at Halifax. The French thwarted the move, however, by sending a powerful naval force to guard that fortress. Yet, victory might still have been achieved had not a September hurricane scattered Admiral Francis Holborne's fleet, which had been bottling up the French ships.

While this abortive effort was being staged, Montcalm moved against Fort William Henry, which he captured on August 9. Lieutenant Colonel George Monro and his men were offered safe conduct to Fort Edward, but during the march the Indians serving with the French got out of control and attacked the English prisoners, with considerable loss of life. Only about fourteen hundred of the original twenty-four hundred who had surrendered reached the safety of Fort Edward. Richard Waddington, who wrote about this incident, was compelled to say, "Unhappily for the renown of Montcalm and his army, this fine feat of arms was terminated by a horrible massacre which followed the evacuation of the place [Fort William Henry]." The British were fortunate, however, in the fact that Montcalm was unable to proceed against Fort Edward.

In November, French and Indian raiders penetrated into central New York,

where they destroyed many small settlements, notably German Flats, and the Indians carried numerous inhabitants into captivity. The end of the year found the French at the height of their power. As one writer has said, "Never before was the prestige of French arms in North America so high—and never would it be so high again—as it was in the fall of the year 1757." In Europe, too, France and her allies were enjoying success. They had overrun Hanover and were keeping Frederick the Great more than occupied in his effort to escape being cornered.

William Pitt to the Fore. These early English reverses in both America and Europe were blamed by the British people at least in part on the ineffective management of the war by the Newcastle ministry. The resultant popular protests were responsible for the formation of a new cabinet in November 1756. The Duke of Devonshire was little better, but he did bring into his ministry the competent William Pitt, an energetic, forceful man. It was not until the spring of 1757, however, that the "Great Commoner" showed his true ability. Then, with Newcastle prime minister once more, Pitt became principal secretary of state and assumed direct supervision of the war. Thereupon Frederick the Great said, "At last England has brought forth a man."

Pitt was quick to make numerous changes. Up to that time English policy had been one of containment, that is, of trying to hold back the French. Pitt, on the other hand, was determined to expel the enemy from North America, which could only be done by going on the offensive. One of the first steps was to replace the older and often incompetent military and naval leaders with younger, more energetic men such as James Wolfe, William Howe, and Jeffrey Amherst. The next move was to encourage the colonies to raise and equip more troops. As a financial inducement, Parliament voted nearly a million pounds during the remainder of the war as "compensation" for so doing.

A third step was to keep France so occupied in Europe that she could not send additional troops and supplies overseas. Thus, Frederick the Great and his European allies were promised more men and money. Actually, the only manpower aid came from Hanover, although there were a few diversionary sorties by England against the French coast. Money, however, literally flowed across the Channel—at least £11 million during the rest of the war. Frederick's ensuing military exploits were so brilliant that Pitt was prompted to remark later that "America was conquered in Germany."

A fourth step was to revive and attempt to enforce the various Navigation Acts to prevent illicit trade with the French. New Englanders, New Yorkers, and Pennsylvanians had been selling large amounts of meat and other edibles and supplies to enemy forces in Canada at a goodly profit. The colonial trade with the French West Indies likewise flourished. So flagrant and "iniquitous" was this illicit traffic that Pitt insisted that it "principally, if not alone, enabled [France] to sustain and protract this long and expensive war." In addition to the enforcement of those acts, England introduced a new theory, which became known as the Rule of 1756. This stated that ports closed to a country in time of

William Pitt, First Earl of Chatham.
(Courtesy of The North Carolina
Museum of Art)



peace could not be opened to that nation in time of war. Thus, the English colonies would not be allowed to trade with the French and Spanish West Indies during the current hostilities.⁴

Finally, Pitt planned a many-pronged campaign strategy to carry the war into the heart of the enemy's country, which was to result in ultimate English victory. Also contributing to this victory was the unity of control that Pitt achieved. Instead of relying upon the Navy and War Offices, he disregarded channels to issue his orders directly to officers in the field, orders that always bore a note of urgency. He also demanded that all his commanders send every question and problem directly to him.

General James Abercromby became the new British commander-in-chief, replacing Lord Loudoun, who did not get along with Pitt. Abercromby's first campaign was against Fort Carillon (Ticonderoga). He expected some twenty thousand provincial troops to supplement his sixty-three hundred British regulars, but fewer than six thousand colonials appeared. This army attacked Montcalm at the fort on July 8, 1758, but the French were well dug in behind a wall of fallen trees, from which they poured a withering fire. Lord George Howe was the foremost among the sixteen hundred British casualties, and Abercromby had to retreat.

This disaster was more than compensated for by the British capture of Louisbourg on July 26. Admiral Edward Boscawen, with his fleet of forty ships, first destroyed the French vessels guarding the approaches to the strategically located fortress. Then Major General Amherst and Brigadier General Wolfe, commanding nine thousand regulars and five hundred colonials, reduced Louisbourg, which was in the charge of Chevalier de Drucour and slightly more than fifty-six hundred defenders.

Fort Frontenac fell a month later to Colonel John Bradstreet. Brigadier Gen-

⁴ The colonists tried to justify the illicit trade on the ground that it provided them with money to help pay the heavier colonial taxes needed to carry on the war.

eral John Forbes, instead of following Braddock's route, built a new road across Pennsylvania, over which he led his troops to Fort Duquesne in November. In the face of this powerful force, the defenders blew up the fort rather than have it fall intact to the British. Thus, the year 1758 marked a definite turn in the military tide.

Pitt determined to press the newly won advantage in 1759. As a preliminary, he placed Amherst in full command in September 1758. Next, he planned a three-cornered campaign. The first part of the plan was to isolate the West from contact with Quebec. Brigadier General John Prideaux and his two thousand regulars, assisted by William Johnson and about one hundred Iroquois, reduced Fort Niagara near the end of July 1759. To make the cut in communication doubly sure, Colonel Frederick Haldimand was placed in charge of Fort Oswego with an enlarged garrison. The second part of the plan was to end French dominance along the Lakes George-Champlain route. Amherst pressed the enemy so boldly that they destroyed Forts Carillon and St. Frederick before the end of July and then retreated to Canada. Amherst quickly ordered the rebuilding of these forts to hold the route, and thus Ticonderoga and Crown Point came into being.

The Fall of Quebec. The most ambitious part of the three-cornered campaign was the move against Quebec. This expedition was a masterpiece of cooperation among the various British forces. The fleet of Admiral Charles Saunders transported Wolfe and nine thousand troops up the St. Lawrence in June 1759. Part of this force was landed on the Ile d'Orléans, while another part captured Point Levis, across the river from Quebec. Wolfe then dispatched diversionary parties in several directions for the next two months, making it difficult for Montcalm to ascertain the point from which the major attack would come. Finally, on the night of September 12 Wolfe sent a force up the steep paths to the Plains of Abraham, a plateau that dominated the city but that Montcalm had left undefended. The next day the Battle of Quebec opened, to bring an overwhelming victory to the British, with the city surrendering on the eighteenth. This encounter, in which both sides fought courageously, was a costly one, for Wolfe and Montcalm lost their lives. As Francis Parkman later wrote, "With the fall of Quebec began the history of the United States."

Just about a year later Montreal, the last important French stronghold on the American continent, fell before a multipronged English attack. Major Robert Rogers captured Detroit and other Western posts before the end of 1761. Guadeloupe and several other islands in the West Indies likewise were taken by the British, and expeditions were planned against Mobile and New Orleans.

Spain became worried about these English victories, which might lead to an overturn of the balance of power. Therefore, she signed another Family Compact with France. Pitt desired to declare war against her, but the new British monarch, George III, vigorously opposed extending the current struggle and

"coloring the map red." Furthermore, he was worried about the popular favor Pitt was enjoying. Consequently, Pitt was forced out of office. Nevertheless, in January 1762 England did declare war on Spain, and, during the remainder of the year seized Martinique, St. Lucia, and Grenada from France and Havana and Manila from Spain.

The Treaty of Paris, 1763. Defeated on all fronts, France initiated truce talks with Britain, which was more than ready to end the bloody contest. On November 3, 1762, preliminary arrangements were concluded at Fontainebleau. By February 10, 1763, the peace envoys completed their negotiations at Paris, with Britain, France, and Spain signing the treaty.

First of all, England gained most of the French possessions in India. Next, she acquired Canada and all French territory east of the Mississippi except the Island of Orleans at the mouth of that river and two small islands, St. Pierre and Miquelon, at the mouth of the St. Lawrence. France, however, was allowed to retain the privilege of curing and drying fish in the Newfoundland region. In the West Indies, England gained Grenada, St. Vincent, Dominica, and Tobago. There was considerable discussion in regard to Cuba and the Louisiana Territory. France offered England all the latter if she would return Cuba to Spain. England instead insisted upon the acquisition of the Floridas. As she was the victor, she had her way. Cuba was given back to Spain in exchange for the Floridas. Spain also regained the Philippines, which England had seized after the preliminary articles of peace had been signed. In another pact (San Ildefonso) France turned over Louisiana and the Island of Orleans to Spain as partial compensation for her loss of the Floridas.

The Treaty of Paris occasioned considerable debate in England, especially on the issue of whether she should keep Guadeloupe or Canada. Even before the treaty was drawn up, Pitt had anticipated the problem when he said, "Some are for keeping Canada; some Guadeloupe; who will tell me which I shall be hanged for not keeping?" Guadeloupe at the time was a very valuable sugar island whose trade would bring immediate financial advantage to England. Canada, on the other hand, was primarily a wilderness in 1763—a "sandy desert and a frozen waste," said the opponents—whose economic future, with the possible exception of the fur trade, was problematic. Accordingly, the purpose of acquiring colonies became the subject of a pamphlet war and a Parliamentary fight. The question was: should colonies be developed as producers of raw materials or as potential long-range markets for English manufacturers?

William Burke, a kinsman of the better known Edmund, was a leading advocate of the first view, aided in no small part by those who had investments in the West Indies. In addition, he took the position that the presence of France in Canada would maintain the balance of power in America; "if the people of our colonies find no check from Canada, they will extend themselves almost without bounds in the inland parts." The probable result would be that they would ultimately break away from the mother country.

This was by no means a new opinion. It had been expressed fifteen years earlier by Peter Kalm, a Swede who had traveled widely in America and who had written in 1748: "I have been publickly told, not only by native Americans, but by English emigrants, that within thirty or fifty years, the English colonies may constitute a separate state, wholly independent of England. . . . These dangerous neighbors [the French] are the reasons why the love of the colonies for their metropolis does not utterly decline." And even before Kalm's prediction, Montesquieu announced in 1730 that England would be the first to lose her colonies because of her selfish Navigation Acts, and Anne-Robert-Jacques Turgot, a powerful figure in French finance, said that the colonies would do what Carthage had previously done—break away from the parent state because they were like ripe fruit waiting to be plucked.

On the other hand, there were many Englishmen who vigorously supported the retention of Canada. Prominent among them were the West Indian sugar planters, who feared competition from cheaper Guadeloupe sugar. Were Guadeloupe in French hands, the British navigation measures would safeguard their product from French competition. Benjamin Franklin also favored keeping Canada. To do so would not only save England and the colonies large amounts in defense costs, but the colonies, by growing and multiplying, would strengthen the empire. Treated well by the mother country, they would remain loyal. Commercial gain was the element stressed by another English group:

The British Colonies are to be regarded in no other light but as subservient to the commerce of their mother country; the colonies are merely factors for the purpose of trade, and in all considerations concerning the Colonies, this must always be the leading idea.

And Pitt, even though out of office, was still powerful enough in the House of Commons to influence many members to his way of thinking.

It was this view that finally won the day for a treaty never wholly popular in England. Canada, rather than Guadeloupe, became British, and a new colonial policy came into being: plantations were to be developed principally as markets, rather than as producers of raw materials. And in the evolution of this new policy, the whole future of the British Empire was determined.

THE NEW IMPERIAL POLICY

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The Treaty of Paris, which John Wilkes denounced as "the peace of God because it passeth all human understanding," was an important landmark in the history of the British Empire. Immediately, it made England the most powerful nation in the world, for in America she obtained Canada, undisputed control of the region between the Appalachians and the Mississippi, the Floridas, and several islands in the West Indies. In the Old World she became the leading power in Europe, as her two arch rivals, France and Spain, had been ignominiously humiliated in defeat, and she also became the dominant figure in India.

That leadership brought to England new imperial responsibilities. Up to 1763 her interests in the empire had been primarily commercial or mercantilistic. Imperial self-sufficiency had been her goal in order to promote imperial wealth. Each part of the empire must do its part in providing or producing the essential commodities for that self-sufficiency. The passage of the several acts of trade and the establishment of agencies like the Board of Trade were indicative of the efforts of king and Parliament to develop this economic empire.

Starting with 1763, however, the emphasis shifted to the desire to weld a strong political empire, in keeping with England's newly won position. Therefore, more attention must be given to tightening the administrative, military, and financial reins of the greatly enlarged empire. But in promoting this new imperial policy, Parliament's efforts came into conflict with a new colonial point of view. Ever since 1607 the internal development of the American colonies, with much less interference from the mother country than is commonly supposed, gradually produced common American interests, ideals, and institutions markedly different in many respects from those of England. Thus, when Britain tried to develop her new imperial political policy, she encountered opposition from her colonies, which first took the form of vigorous protest, followed by open rebellion, and finally separation.

Immediate Postwar Problems. Victories on the battlefield and at diplomatic round tables during and after the Great War for the Empire were to result in many troublesome problems for England. A new monarch, George III, determined to rule as well as reign, was faced with numerous political difficulties, in part because of struggles among the numerous factions that usually placed their own selfish ends above the needs of country or empire. The succession of minis-

tries between 1763 and 1770 and the need to cater to the various factions prevented the formulation of consistent programs either at home or overseas.

At home victory did bring peace, but a peace accompanied by an increase of at least £60 million in the national debt at a time when English taxpayers were loudly groaning under their financial burdens. Moreover, the war had made necessary the establishment of more governmental agencies, which could not be abolished immediately with the coming of peace. Consequently, the annual budget was some £3 million larger than in 1754, without counting the interest on the war debt proper.

And across the Atlantic the enlarged empire brought complications. Practically all the newly won territory was a wilderness, sparsely inhabited by Indians who had been allied with the French in the series of wars just ended, and by French or Spaniards whose loyalty to new masters left much to be desired. In addition, the older English colonies were growing more and more delinquent in their loyalty toward and cooperation with the mother country.

The more farsighted English leaders realized that the domestic and imperial problems must be dealt with promptly, and some of them knew that the two were interrelated. Yet, the political chaos and disruption in England prevented the successful carrying out of any long-range and adequate policies that might solve the new problems at home and in America. As a result, neither was properly executed.

The New Colonial Policy. To many English politicians, the colonial policy was in need of a thorough overhauling. Not only was a vast new territory to be consolidated within the empire, but it must be administered in line with the new imperial policy. This would entail the amalgamation of hitherto hostile Indian tribes, which had been angered by the steady westward march of English traders and potential settlers into lands the natives claimed were theirs; the establishment of satisfactory governments for the colonies wrested from France and Spain; and the maintenance of an army, probably of at least ten thousand men, to protect the enlarged American empire from possible attack, as well as to keep restless Indians, French, and Spaniards in subjection.

Just as important—and to some English leaders, more important—was a re-examination of the status of the older English colonies in order to determine their proper relationship to the mother country. During the years prior to 1750 those colonies had achieved a large degree of self-government, generally at the expense of the royal governor and, for that matter, of the royal prerogative.¹ An effort had been made by the crown to stop this trend in 1752, when all royal governors were instructed to have all colonial laws revised to conform with imperial orders; at the same time, those officials were told they must follow their instructions to the letter, instead of following the wishes of colonial legislatures. The advent of the Great War for the Empire, however, prevented fulfillment of this desire to tighten the reins on the colonies. Thus, the policy of greater English administrative control over the older colonies after 1763 was really not

¹ See Chapter 15.

new, but an attempt to put into effect what had been tried unsuccessfully just before the war.

A second reason for the need to re-examine the relationship of the older colonies was their attitude during the French and Indian War. Though some colonies had provided men and money to help win that struggle, others had been lax in this respect or had definitely failed to assist their neighbors or the mother country. The requisition system had generally been unsuccessful; colonial assemblies were wont either to refuse to appropriate their quota or to vote only a token amount.
Pitt had finally found a partial solution when he assured the colonies they would be reimbursed for a goodly proportion of what they spent to help win the war.
Under the circumstances, something must be done to end this uncooperative spirit so rife in America.

Even more exasperating to the mother country were the flagrant colonial violations of the acts of trade. No attention was paid to the Order in Council of May 1756, which ordered the governors "to prevent any of the Colonies and Plantations belonging to the Enemy in America being supplied, either by Land or by Sea, from any of His Majesty's Colonys, with Provisions, or Warlike Stores of any Kind." New England, New York, and Pennsylvania were the principal violators of the British efforts to stem this illicit trade, which had not only aided France during the war, but greatly diminished the imperial revenue. Something must be done to correct these abuses in the future by making the customs service efficient and perhaps self-supporting.

The situation in America was closely linked with the whole new imperial policy, as well as with that in England itself. The new policy would be costly, and the English taxpayers should not be called upon to shoulder the full financial burden. The eyes of English leaders had been opened during the recent war to the economic potentialities of the overseas possessions. As the colonies would benefit from the stronger empire that was envisioned, why should they not be called upon to share in the future costs of their administration and defense? Why should they not be made to see that their role in the empire depended upon obeying the various acts of trade and upon cooperating fully with the other parts of the empire to make the whole strong? To fulfill these objectives, the consensus of English leaders in 1763 was that the imperial customs service must be reorganized to enforce the acts of trade, and that plans should be made to raise revenue in America not only to help pay the cost of the troops in the West that were protecting that part of the empire, but also to take care of the salaries of royal officials in the colonies, so that they might be free to carry out the imperial bidding.

Unfortunately for England and the empire, the responsibility for formulating the specific methods of putting the new imperialism into effect fell on a new ruler and a new ministry that did not understand the colonial state of mind.

The Accession of George III. The over-all task of dealing with all these problems fell to a new monarch, George III (1760-1820), the grandson of George II, who had succeeded to the throne while the Great War for the Empire

was still in progress. He was the first member of the House of Hanover who was really English, and he "gloried in the name of Briton." He was also the first Hanoverian to be truly acquainted with and interested in English methods of government, yet to him those methods were unsatisfactory because they did not allow the king sufficient authority. Part of his dissatisfaction developed from the training he had received from his mother, Augusta, product of a small German court and described as "hard, reserved, and tortuous." She wanted for her son the power she believed a ruler should have, in conformity with the German ideas of absolutism, under which a king should rule as well as reign. There is little reason to doubt her supposed constant admonition: "George, be king." In addition, she instilled in him a personal moral code far different from that practiced by the first two Georges, or, for that matter, by many prominent politicians of the time. His home life was decorous; there were no mistresses to cause trouble.

George III gradually developed a stubborn will and a self-assurance that he was doing what was right. A favorite maxim of his was, "I know I am doing my duty and therefore can never wish to retract"; and another, "I will rather risk my Crown than do what I think personally disgraceful, and whilst I have no wish but for the good and prosperity of my country, it is impossible that the nation shall not stand by me; if they will not, they shall have another King."²

The new ruler was determined to build up the royal authority that had suffered so much under his two predecessors. In so doing, however, he was wise enough not to rely upon dictatorial actions or royal prerogative. He knew what had happened to Charles I and James II under such circumstances. Instead, he decided to use the existing system to his own advantage. This was not difficult, because the long period of Whig supremacy had inevitably led to intraparty strife and the growth of factions, so that by 1760, to "talk of 'whig' and 'tory,' or of 'party,'" as if these terms meant the same thing throughout the eighteenth century is to imply a fallacy which is now exploded."

No faction was large, and no factional leader could count on more than a handful of faithful followers. Moreover, there was a constant shifting of support from one faction to another. Though much has been written of the Old Whigs, the Revolution Whigs or Pittites, the Bedfordites or the "Bloomsbury Gang," and the Grenvillites, actually such connotations meant little. The majority of the members of the House of Commons were independents. As to the Tories, Horace Walpole wrote at the time, "In truth all the sensible Tories I ever knew were either Jacobites or became Whigs; those that remained Tories remained fools."³

² Some writers have attributed George III's views of his kingship to the fact that John Stuart, Earl of Bute, was his early tutor and brought him up on the precepts of Lord Bolingbroke's pamphlet, *On the Idea of a Patriot King* (1740). More recent studies have tended to discount this assumption.

³ The best accounts of the complicated political situation in England during the reign of George III are the two works by Lewis Namier, *The Structure of Politics at the Accession of George III* (2 v., 1929) and *England in the Age of the American Revolution* (1930); and the simpler accounts of Charles R. Ritcheson, *British Politics and the American Revolution* (1954) and Richard Pares, *King George III and the Politicians* (1953).

George III hated the selfish "hydra faction," so he determined to develop a party of his own. As one of the first steps in attaining this objective, he started appealing to the independents in the House of Commons. This was not such a difficult task because of the unreformed system of election. He copied the prevalent practice of unabashed bribery—resorting to "gold pills," as he called his liberal expenditure of money for vote-buying; and when it is considered that he had an annual income of at least £800,000, he had sufficient resources for the purpose. Still another method of gaining adherents was to appoint men to sinecures with high-sounding titles, such as the master of the robes, the groom of the bed chamber, and the clerk of the board of green cloth. He offered innumerable inducements to Whigs who had not fared well previously, and perhaps the foremost Whig enticed into the king's camp was George Grenville. He also played one faction against another, thereby weakening the influence of each. The House of Lords, stronghold of conservatism, was easier to capture. To make doubly sure, however, George III granted nearly four hundred titles of nobility during his reign.

Finally, around the remnants of the Tories, who were ready to do anything to regain power and office and were basically sympathetic to the royal objectives, George III gradually constructed his own political party, really another faction, known as the "King's Friends." This coalition, consisting as well of dissatisfied Whigs, independents, and members from Scotland (who longed for a return of the Stuart type of rule), gained the upper hand, to give the king the political agency he needed to accomplish his purpose.

Because of the long background of Whig supremacy, this political ascendancy could not be accomplished overnight. The king had to accept unfriendly, even hostile, cabinets at the outset: (the Newcastle ministry until 1762, the unpopular Bute ministry the following year, the more pliant Grenville group in 1763, the Rockingham cabinet in 1765, and the Pitt-Grafton ministry until 1770. But in each new cabinet there had to be representatives of the several factions in Commons, thus giving the king an opportunity to put in a "King's Friend." Finally, in 1770 the North ministry was organized, and with it the new royal coalition came into undisputed control that lasted until the virtual end of the American Revolution.) Because George III was the behind-the-scenes boss, the period 1770-1782 is sometimes referred to as that of the personal rule of George III.

Had the king been more competent and broad-minded, history might have been different. George III was an able politician, to be sure, but his knowledge of domestic, imperial, and world affairs was superficial. Through his desire for power, however, he dealt with problems with which he was unacquainted. His mind was frequently hazy, the forerunner of his ultimate insanity. He has been variously characterized as "a good man but a bad ruler," a "stupid king," "exceedingly obstinate," and a ruler with a "smaller mind than any English King before him save James II." The usual approach in the past has been to blame the royal ministers for the measures that led to the American Revolution, but an examination of George III's letters and messages indicates quite clearly that he was the person largely responsible, especially after 1770.

The Grenville Ministry. The immediate task of finding a solution to the imperial problems was in the hands of the ministry headed by George Grenville, Pitt's brother-in-law and a man with a stubborn will and considerable ability. He was one of the few Britons who "offered a comprehensive plan which demonstrated true imperial statesmanship and a deep understanding of the British Constitution." Yet, by supporting that constitution, he inevitably caused conflict with the American conception of colonial rights, thereby opening a breach that was to widen steadily during the next decade.

As chancellor of the exchequer, Grenville had to deal at once with the pressing matter of the large postwar budget, which placed him in a quandary. If he raised the already high taxes in England, he would incur the political displeasure of the landed gentry, who were already complaining about the current 20 per cent rates. Were he to levy more duties on trade, the merchants and shippers would turn against him. Because these were the most powerful groups represented in the House of Commons, he and his faction would be committing political suicide by increasing the domestic levies.

Thus, Grenville and his immediate associates—Lord Halifax, secretary of state for the Southern Department, Charles Jenkinson, secretary to the Treasury, Charles Townshend, paymaster-general, and Thomas Whately, secretary of war, together with some of the army leaders—worked out plans based on earlier proposals and aimed at applying the new concept of imperialism. Because the American colonies were part of the empire, they should now be called upon to contribute their share to the imperial financial burden. This was only fair, the sponsors believed, because the series of wars just ended had been fought "for the immediate Defence of our Colonies from imminent Danger." Moreover, the danger was still present from Indian attacks and from the conquered French residents of the newly won territories. Administrative and defense costs might soar, but the colonial advantages that would result from their being made an integral part of the empire justified larger colonial contributions. Yet, Grenville decided not to require the colonies to pay any part of the huge debt already piled up by England, nor all of the estimated £300,000 to £350,000 needed annually for American administration and defense, but only between one third and one half of the cost. Furthermore, to make this proposal more palatable to the colonies, all the money raised in America would be spent in America.

The announcement that Grenville was about to introduce specific measures to put the general plans into operation was well received in Parliament and among the English people generally. They, too, deemed the proposals wise and fair. In addition, they knew that if the plans were successful, they would benefit. Not only would the empire be strengthened, thereby preventing costly wars, but their trade would expand and their taxes might not be increased. In their optimism, they did not consider the possibility of colonial opposition, but the sources of such opposition had been quietly developing for a long time.

The Growth of Americanism. In order to understand the underlying reasons for the opposition in America to the new imperialistic policy, it is essential

to realize that the colonists were undergoing a change. In 1763 they were on the threshold of becoming Americans. This was no sudden development, but the result of factors long at work. In the first place, the colonies had been settled by Englishmen who had left the mother country largely because of dissatisfaction with English persecution—political, religious, and economic. During the century and a half since the establishment of Jamestown, they and their descendants had been permitted to develop their own ways of life, with much less supervision, regulation, and control than is normally believed. They had achieved a large degree of self-confidence in their struggle with the wilderness and other common dangers, a self-confidence that enabled them to create new frontiers and work out a common destiny. This destiny grew more and more distinct from that of the Englishmen who stayed at home.

Then, especially in the eighteenth century, the arrival of Germans, French Huguenots, Scotch-Irish, and other non-English groups, together with the admixture with the Dutch in the Middle colonies, gradually formed a new stock with a greatly weakened attachment to England. Social and economic strata were present, but nothing like those of Europe. In the colonies these divisions were not necessarily permanent; more emphasis was placed upon what a man did rather than on what he inherited. Thus, the glimmerings of democracy were to be seen in the New World. In similar fashion, evidences of an American culture quite distinct from that of Europe were emerging. Most important of all, however, was the development of distinctive American political views embracing three major ideas: (1) the desire for a broadening franchise and representative government; (2) constitutional limitations on the powers of government; and (3) popular sovereignty.

Of these political concepts, the one occasioning most controversy with the English position involved representative government. To the English, the theory of virtual representation was paramount. The members of Parliament represented the whole empire, not simply the district that elected them. On the other hand, the colonists, by 1763, were of the opinion that a delegate to a legislature represented only the district from which he came. Under this conception of actual representation, the colonists believed that the only legislature in which they were represented was their own colonial assembly; they were not represented in Parliament. Consequently, on the important issue of taxation, it was not proper for Parliament to enact any measures for levying taxes on the colonies; only the assemblies could do that.

So slow and gradual was the development of this colonial concept that even the Americans did not realize it was occurring, much less the English. As a result, when the Grenville plans were endorsed by Parliamentary legislation, the English anticipated no colonial protests. But the Americans, believing in actual representation, regarded the English action as arbitrary and contrary to their rights as Englishmen. To most British leaders, American protests against Parliamentary measures were the unjustified actions of delinquent children.

Contributing to the development of the American spirit was the French and Indian War. The colonists gained a sense of pride and self-confidence through

the part they had played in the victory. It had been their troops, they claimed, that had fought the French and the Indians to a standstill along the frontiers, and their money and supplies that had aided greatly in the defeat of the enemy. It is true, however, that much of this patriotism developed after the war, for during hostilities they had consistently disregarded British requisitions for men and money. They had found leaders like Washington and Franklin in whom they placed their trust. Though they admired such British leaders as Pitt in government and Wolfe in the military, they generally disapproved of most of the officials, whom they regarded as lacking in both ability and vision. The bravery of the British common soldier they could not deny, but they scoffed at his failure to become adapted to frontier warfare. Colonial military officers could not forget that they were looked down upon by Britons of similar rank; Washington frequently complained of being snubbed by Captain John Dagworthy. Colonial assemblies had wrung many concessions from royal governors in return for voting appropriations for the war effort. Cooperation with the mother country had not been uniform; some colonies had placed their own interests above American or imperial welfare. Some colonists were not averse to making a pretty penny by trading illicitly with the French, and when Britain revived dormant acts of trade, some Americans complained bitterly about their enforcement.

The Treaty of Paris, with its broad territorial gains in America, caused the colonists to anticipate their own expansion—for were they not largely responsible for defeating the French? Some envisaged the time when America would be larger and stronger than England itself and would become the center of the empire. As Franklin wrote, the colonies were destined to be "a great country, populous and mighty," and he concluded with a warning to England that America would be able "to shake off any shackles that may be imposed on her, and perhaps place them on her imposers." This attitude was helped along by the removal of the so-called French menace, about which so many warnings had been voiced by Kalm, Montesquieu, Turgot, and others; the Marquis d'Argenson in the middle of the eighteenth century foresaw a republic rising from the English colonies. In short, the end of the wars with France coincided with a new aggressive spirit in America that boded ill for the group of English politicians who came into power at the same time.

The Parsons' Cause. One of the early challenges to British authority over the colonies developed from economic difficulties in Virginia, plus a certain dissatisfaction of Virginia dissenters with the Established Church. In that colony tobacco was the ordinary medium for paying all taxes, fees, rents, and other obligations. With that commodity fluctuating in value between one and six pence a pound, creditors naturally prospered when the selling price was high and suffered when the market depreciated.

In 1755 the planters, hard hit by a small harvest and high taxes occasioned by the French and Indian War, persuaded their representatives in the House

of Burgesses to enact a measure enabling them to pay their financial obligations in cash, instead of in tobacco, at the rate of two pence per pound. The planters would thereby have the advantage of disposing of their crop in a high market and save themselves a tidy sum. On the other hand, Anglican ministers, whose salaries ranged from 16,000 to 17,280 pounds of tobacco annually, were the losers. They had been compelled to accept payment in kind when the leaf was selling for only a penny a pound; now they argued that they should offset their losses when the market rose to four, five, or six pence. But the planters asserted that the average price was two pence over a period of years, so that the new law was just. Before any solution to this controversy could be reached, the law, limited to a ten-month period, expired.

When another crop shortage developed in 1758, however, the Assembly passed a similar measure, popularly called the Two-Penny Act, after violent debate both in the Assembly and in public. Thus, the ministers would receive an average of £140 instead of £400 (had they received payment in tobacco and sold it at the current price). The enraged clergy quickly questioned the validity of the Two-Penny Act by sending the Reverend John Camm to England. He had two things in his favor: the support of the Bishop of London, who was ever watchful of the welfare of his flock, and the fact that the Virginia law had been passed contrary to an earlier English statute. Therefore, the Privy Council declared the Two-Penny Act null and void on August 10, 1759. As the measure would have expired in October anyway—it was limited to a year by the Assembly—it was in a sense a hollow triumph for the clergy.

A question subsequently arose in the minds of the Virginia ministers, however: if the Two-Penny Act was invalid, were they not entitled to be paid in tobacco at the old rate or in its cash equivalent at existing market prices? The chief complainant was the Reverend James Maury of Hanover County, a man of excellent character and ability who had tried to augment his income by teaching (one of his famous pupils had been Thomas Jefferson). Maury brought suit in the county court for damages during the course of operation of the Two-Penny Act.⁴

The jury, drawn in December 1763, consisted mainly of dissenters who had felt the hardship of taxation, people of the "rougher type." Maury's able counsel, Peter Lyons (who later became president of the Virginia Court of Appeals), protested, but to no avail. Then he argued the case on the basis of the right of England to nullify an act of a colonial legislature, and concluded with an outburst of praise for the clergy. Neither appeal set too well with the jury. The defense was presented by Patrick Henry, a young lawyer from the Virginia back country.⁵ His appeal was directed to the jury and stressed the sad state of Vir-

⁴ The county court had in effect sided with the Privy Council by deciding in November 1763 that the Assembly had no power to pass the Two-Penny Act. Thereupon, the issue shifted to the extent of the damages the ministry was entitled to receive.

⁵ The original defense attorney was John Lewis. When the county court decided that the Assembly had had no right to pass the Two-Penny Act, Lewis believed the case lost, and Henry took his place.

ginia's finances that had been responsible for the disallowed law.⁶ He also attacked the clergy as "enemies of the community" who preferred chaos to order in the colony that was feeding them. The British government also came in for a scathing denunciation for having voided the Two-Penny Act—this was an infringement of Virginia liberty. In conclusion, Henry asserted that the king, through his disallowance of a measure passed to safeguard the welfare of the loyal people of Virginia, no longer was the father of his people, but a "Tyrant" who thereby "forfeits all rights to his subjects' obedience."

The jurymen of humble station, swayed by the Henry arguments, brought in a verdict that Maury was entitled to only one penny in damages. According to the minister's subsequent account, Henry later apologized to him for his speech, saying that his "sole view was to render himself popular." Maury sorrowfully concluded: "The ready road to popularity here is to trample under foot the interests of religion, the rights of the church, and the prerogatives of the Crown." And he was more correct in his assumption as time passed. Henry's vigorous championship of the rights of a colonial legislature to pass laws deemed necessary for the local welfare and his challenge of the royal right of disallowance of such measures were early proof that the colonies were becoming more America-minded.

The Writs of Assistance Controversy. Meantime, another challenge to English supremacy originated in Massachusetts, although it subsequently extended to most colonies. This involved writs of assistance, which were general search warrants to enable customs collectors to call upon the local sheriff or other peace officers to assist them in their search for any smuggled goods. Such blanket warrants had been legalized in England since the time of Charles II, and in 1696 Parliament had extended this type of search warrant to the colonies to make more effective the Navigation Act of the same year.

It was not until 1755, however, that such a writ was issued by the Superior Court of Massachusetts to Charles Paxton, chief customs officer of the port of Boston. Similar warrants were subsequently granted to customs collectors in other Massachusetts ports. Little or no colonial protest accompanied the issuance of these writs until the death of George II in 1760, which voided the writs extant unless they were specifically renewed within six months of the inauguration of the new monarch.

When Thomas Lechmere, surveyor-general of colonial customs, applied for renewal in 1761, some Boston merchants, worried about the many seizures of their property in 1760, employed Oxenbridge Thacher, an eminent lawyer who spoke "with the softness of manners, the ingenuity and cool reasoning, which were remarkable in his amiable character," and the fiery James Otis, "a man of disordered intellect and unsteady will" who resigned his post as advocate-

⁶ Actually, through the passage of unwise paper currency laws Virginia was in large part responsible for the troubled economic situation. She had claimed war necessity as the reason for some of these measures, but her efforts and contributions in the economic aspects of the war were less than those of several of the poorer colonies.

general to oppose the renewal. On February 24, 1761, Otis presented his clients' case in unusual fashion before Judge Thomas Hutchinson. Portions of his speech follow:

This writ is against the fundamental principles of law.... A man who is quiet, is as secure in his house, as a prince in his castle.... An act against the Constitution is void; an act against natural equity is void; and if an act of Parliament should be made, in the very words of this petition it would be void. The executive Courts must pass such acts into disuse.

Judge Hutchinson refused to make a decision, saying:

The Court has considered the subject of writs of assistance, and can see no foundation for such a writ, but as practice in England is not known, it has been thought best to continue the question to the next term, that in the meantime opportunity may be given to know the result.

The matter was referred to England, where the legal authorities decided in November that colonial courts could issue such writs. Unlike the Parsons' Cause, the writs controversy did not stir up widespread interest at the time⁷ because the Boston hearings were closed; the Otis speech did not come to light until many years after the Revolution. Nevertheless, the fact that Parliament's right to pass laws contrary to the constitution (as interpreted by Americans) was challenged in 1761 indicated the way some Americans were thinking at that time.

⁷ Under the Townshend Acts of 1767 writs were specifically legalized by Parliament as a means of enforcement. Then the judges in practically every colony fought their issuance, with the result that the constitutional controversy involved stirred up greater interest. For the details see O. M. Dickerson, "Writs of Assistance as a Cause of the Revolution," in R. B. Morris, ed., *The Era of the American Revolution* (1939).

THE WEST AND ITS PROBLEMS, 1763-1775

One of the first postwar problems to be faced involved the complicated situation in the West. The English government believed that the recently acquired territory must be dealt with promptly, for in that region west of the mountains there were many problems to be solved: what to do with the Indians who had been hostile during the French and Indian War; how the fur trade should be regulated; the problem of land speculators; the question of defense; and the matter of administering the huge territory with its alien population. From the colonial point of view, the West was also a troublesome matter. There was not only the problem of the explorers, the potential settlers, and the contentious land speculators, but the growing bitterness between the aristocratic elements of the Tidewater and the more democratic groups in the back country. The interrelationship of all of these problems made solution difficult, and the various attempts to solve them deepened existing animosities.

The Indian Situation. Closely related were the fur trade and the Indian problem. The fur trade was deemed essential for the livelihood of English residents of the Ohio Valley, centering at Fort Pitt. Transportation of furs to market was difficult, as there were no good roads or waterways leading to Atlantic seaports. The best export route was by way of the Ohio and Mississippi rivers to the Gulf of Mexico, but that also caused complications because Spain controlled both St. Louis and New Orleans. Thus, there was fear that the Spanish, not English, markets would dominate the trade. English mercantilism would therefore suffer, and the West would be of little economic value to England unless something was done. Some suggested that England gain control of the whole Mississippi Valley, either by conquest or by treaty with Spain.

Another means of diverting furs to English markets would be to pacify the Indians. As the Board of Trade stated, "The extension of the fur trade depends entirely upon the Indians being undisturbed in the possession of their hunting grounds." Such a move would accomplish another objective: that of making the Indians loyal to England, thereby cutting defense costs. All inhabitants of

the empire were not in agreement on this question. One element urged destruction or elimination of the tribes because they were retarding white expansion and settlement, interfering with the development of agriculture and industry, and generally holding back the progress of civilization. This view was held by many colonists, especially the traders, speculators, veterans, and others anxious to move west.

On the other hand, it was argued that safeguarding the Indians was essential to the cause of justice and humanity, as well as to check the growing independence of the colonists and to control the fur trade. This opinion was held primarily by Englishmen, particularly by merchants and shippers, who were worried about the American market. They wanted the colonies to be kept compact along the Atlantic coast.

As to the important fur trade, should the doctrine of *laissez-faire* be continued, or should there be some type of regulation? And if the latter, should the British government or the colonies do the regulating? Naturally the colonists tended to favor *laissez-faire*, or, failing that, colonial supervision; the English wanted British regulation.

The problem of the Indians came up first. Indeed, even before the outbreak of the Great War for the Empire, an effort had been made at the Albany Congress of 1754 to obtain an alliance with the Iroquois, a confederacy that had extended its influence into the Ohio Valley. During the war inadequacy of control of Indian affairs by the individual colonies had been clearly demonstrated. Therefore, in April 1755 the crown authorized General Edward Braddock to name Indian agents to pacify the tribes and prevent them from raiding English frontier communities. William Johnson received the first appointment and was placed in charge of the Northern Indian Department in the spring of 1756, with Edmund Atkin (who was succeeded by John Stuart in 1762) over the Southern. Despite numerous obstacles, these men, aided by the several colonial agents, performed their tasks well. One of their proposals was that no future cessions of land in the West be made without the approval of the Indian superintendents.

The next step was taken by Pennsylvania in an agreement with several Western tribes in October 1758. In the Treaty of Easton the colony promised not to make any settlements west of the mountains. The following month, however, the British capture of Fort Duquesne tempted the whites to disregard this treaty. Consequently, Colonel Henry Bouquet issued a military order in an effort to enforce the Easton agreement. Warnings of possible trouble reached England, with the result that the Privy Council ordered the Board of Trade to investigate. Out of this study came the so-called Mohawk Valley Report of November 1761, which was largely the work of Lord Egremont, secretary of state for the Southern Department, with the half-hearted approval of Lord Halifax, president of the Board of Trade. This report criticized colonial governors for granting Western lands to speculators and others in indiscriminate fashion, in violation of a British promise that the Indians could remain on their hunting grounds. As a result, the natives were becoming more restless. These



Sir William Johnson. (Courtesy of Syracuse University Manuscripts Division)

Indian rights must be defined more clearly before any further grants were made or any new governments established in the West.

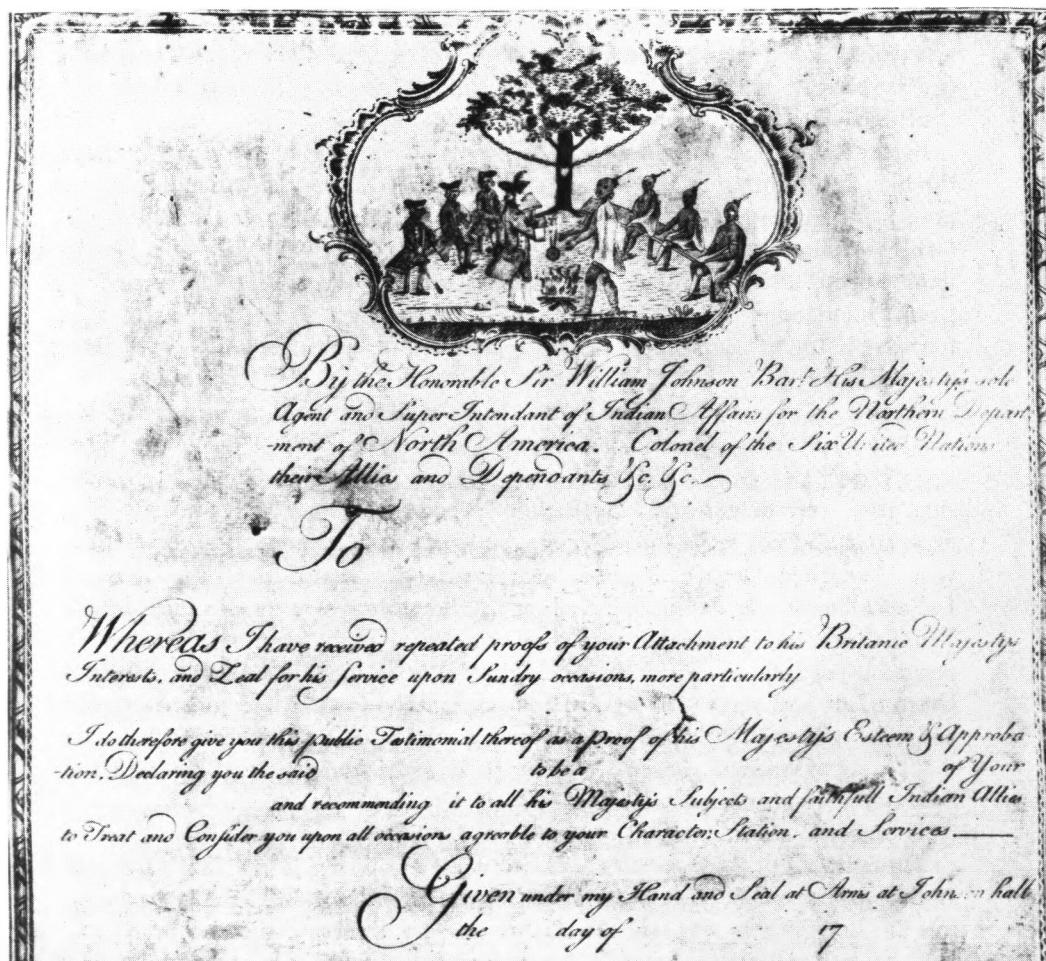
In line with the Mohawk Valley Report and earlier suggestions of a similar nature, the Royal Order of December 1761 was transmitted to the several colonial governors, stating that all grants in Indian territory must have crown approval. This order was not meant to be permanent, but a stop-gap measure until, with the war over, the whole problem could be carefully considered and a solution found.

These actions paved the way for the instructions of Lord Shelburne, new head of the Board of Trade, to run a boundary line dividing Indian territory from white. The first step in America was taken at the Augusta Conference of November 1763. There the governors of Virginia, the Carolinas, and Georgia met with John Stuart and leaders of the more important Southern tribes—the Catawba, Chickasaw, Choctaw, and Creek—to end boundary difficulties and to renew the trade disrupted by war. At this meeting not only was a treaty of friendship signed, but Georgia and the Creeks agreed on a dividing line, and all parties concerned approved of its continuation northward as soon as possible in order to separate Indian lands from white holdings in the whole Southern area. Solution of the Northern problem was delayed by a widespread Indian uprising. Actually, however, the British government had worked out a scheme before news of the Augusta Conference reached England.

Pontiac's Conspiracy. While this more formal plan for dealing with the Indian problem was being considered by the English government, Pontiac's War, or Conspiracy, broke out in the spring of 1763. This uprising was the result of many factors. English traders had long been mistreating the Indians with whom they dealt. Johnson—now Sir William—had realized this and had

been warning the British government for several years that trouble was brewing. General Jeffrey Amherst, who considered the Indians "pernicious vermin," helped to precipitate the crisis when he refused to heed Indian requests for ammunition and a lowering of prices on trade commodities; in addition, he cut off their issues of rum. The story likewise persisted that when the general did relent sufficiently to send them blankets, he had them infected with smallpox germs. Land speculators played their part in the trouble by encroaching on land claimed by the Indians. French propaganda was important, too, stressing that the English were going to destroy Indian hunting grounds and otherwise drive the tribes from their lands. The French also insisted that the English could not

An Indian certificate issued by William Johnson. (Courtesy of The New-York Historical Society, New York City)



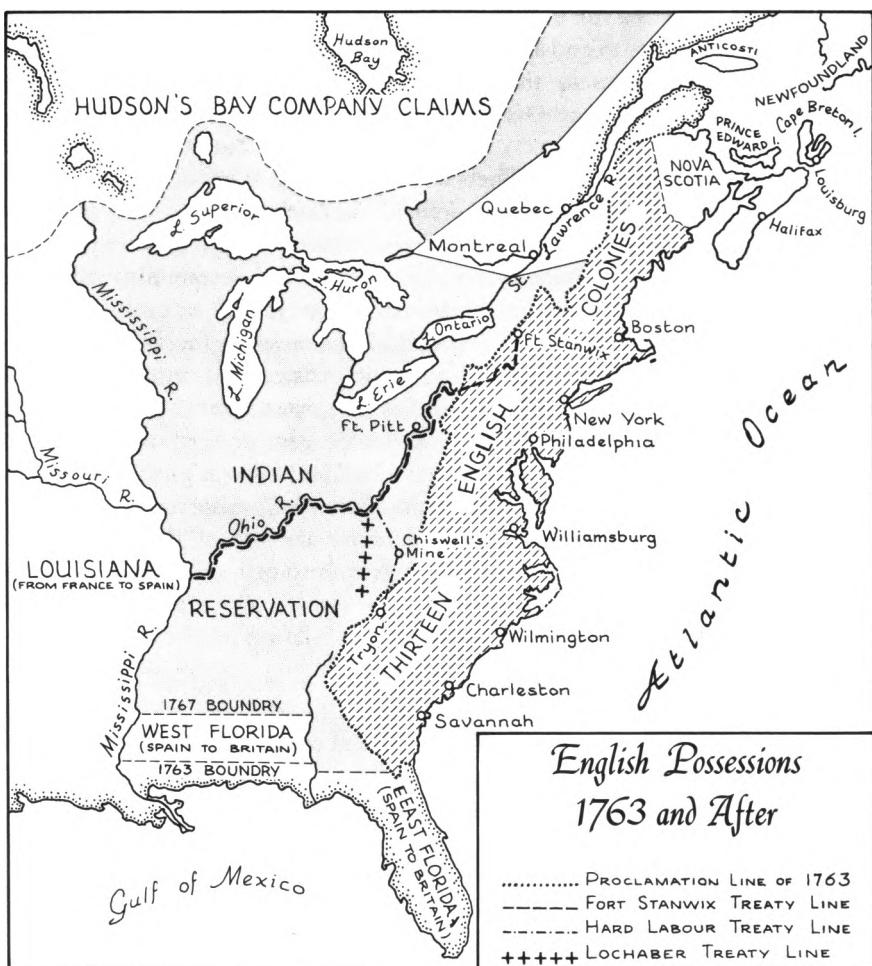
be trusted—something not difficult for the Indians to believe. And still another type of propaganda was spread by French traders: King Louis XV was preparing to send a large army to America to help the Indians regain their lost lands.

The restless tribes of the Ohio Valley were aroused by the so-called Delaware Prophet, who had a visionary scheme for a general Indian confederacy and soon found a leader who might organize it—Pontiac, a chief of the Ottawa. After much secret planning, Pontiac, with sixty followers, opened the war on May 7, 1763, by attacking Detroit, where Major Henry Gladwin commanded some one hundred troops. Fortunately for the English, this strongest post in the West had been warned, according to legend, by an Indian maiden whose British lover was in Detroit. Other outposts, however, were comparatively easy prey for the Indians, who, within a month and a half, seized Sandusky, St. Joseph, Miami, Venango, Le Boeuf, Michillimackinac, and several lesser forts. The garrison at Michillimackinac was the victim of treachery. The Indians staged a lacrosse game outside the stockade, and, while the interested soldiers watched, squaws smuggled guns into the fort. On signal, the lacrosse players rushed inside and captured the surprised garrison. By the end of June every English post west of Fort Niagara was in Indian hands with the exception of Detroit, which successfully withstood Pontiac's siege.

Farther east, Fort Pitt was attacked by the Delaware in what was perhaps the bloodiest fighting of the war. Captain Simeon Ecuyer, in command of the post, held out despite heavy odds. Only after the initial attack on Fort Pitt did General Amherst comprehend the gravity of the situation, but even then he was hampered by scarcity of men and supplies. Relief for the fort finally arrived from Philadelphia under Colonel Bouquet, who defeated the Delaware in a four-day battle at Bushy Run, near the present Pittsburgh, in which both sides suffered heavy losses.

Meantime, efforts were made to lift the siege of Detroit. The first expedition was cut to pieces by Pontiac. The second reached the fort at the end of July 1763, but when Gladwin and his reinforced band attempted to break the Indian ring, they were defeated in the battle of Bloody Ridge on July 31. The third expedition did not leave Fort Niagara until the early summer of 1764. By the time it reached Detroit, Pontiac had already abandoned the siege, and his Indian alliance was definitely breaking up. Some braves were dissatisfied with Pontiac's leadership; the defeat of the Delaware at Bushy Run had discouraged several tribes; others, expecting quick victory, could not face the long siege of Detroit and had returned to their homes; another faction had already signed peace treaties at Presqu'Isle in August 1763; the Southern tribes, satisfied with the Treaty of Augusta, never did participate in the uprising; and the expected help from France did not materialize.

Then Sir William Johnson came to the fore. Using his great knowledge of the Indians, he devoted the next year to negotiation, not force. Gradually, the Indians submitted peacefully to his terms and gave up the posts they had captured. The final step was taken in August 1765, when Pontiac made peace at a large council at Detroit. Actually, however, frontier safety was not assured until



July 1766, when Pontiac concluded a treaty with Johnson at Oswego. Thereafter, until his murder by a fellow-Indian in 1769, Pontiac was wholly loyal to the English cause.

The Royal Proclamation of 1763. The outbreak of Pontiac's Conspiracy hastened the need to complete the broader British policy for the West. Using the Mohawk Valley Report as the basis, and with additional suggestions from Governor Robert Dinwiddie of Virginia and Sir William Johnson, Lord Egremont, with the assistance of Lord Shelburne, began work on plans for the now even more complicated situation west of the mountains. By July 1763 the plans were complete, with the exception of the decision as to how justice should be administered. Before this crucial matter could be solved, Egremont died and Shelburne resigned, to be succeeded by Lords Halifax and Hillsborough respectively.

Instead of completing the task of their predecessors, the two new incumbents, disturbed by the failure to end Pontiac's Conspiracy quickly, used the unfinished Egremont-Shelburne plan as the foundation for the Royal Proclamation of 1763, issued by George III on October 7.

The Proclamation established civil governments in four areas recently acquired by the Treaty of Paris: Quebec, East Florida, West Florida, and Grenada, all of whose boundaries were defined. In each of these new provinces there was to be a royal governor, with power "to erect and constitute . . . courts of judicature and public justice . . . for the hearing and determining all causes as well criminal as civil, according to law and equity, and as near as may be agreeable to the laws of England," with right of appeal to the Privy Council.¹ The governor might also "make, constitute, and ordain laws, statutes, and ordinances for the public peace, welfare, and good government . . . of the inhabitants thereof, as near as may be, agreeable to the laws of England, and under such restrictions as are used in other colonies." Then, as soon as these provinces were ready, the governor "shall call general assemblies," with powers similar to those of the older colonies. These provisions for the use of English law and eventual representative government were expected to attract English settlers to these new colonies.

The second part of the Proclamation opened as follows:

And . . . it is just and reasonable, and essential to our interest and the security of our colonies, that the several nations or tribes of Indians with whom we are connected, and who live under our protection, should not be molested or disturbed in the possession of such parts of our dominions and territories as, not having been ceded or purchased by us, are reserved to them . . . as their hunting grounds. . . .

Consequently, all land west of the Appalachians, exclusive of the territories allocated to the new provinces and the Hudson's Bay Company, was to be "under our sovereignty, protection, and dominion, for the use of the said Indians." All governors were forbidden to grant any lands in the Indian reservation, all loyal subjects were ordered not to purchase acreage there or to settle there "without our special leave and license for that purpose first attained," and all whites who had already moved into the transmontane section were "forthwith to remove themselves." Traders must obtain special licenses to do business with Indians west of the Proclamation Line; thus "great frauds and abuses" might be prevented. The whole area was to be under the general supervision of the commander-in-chief of the British military forces in America. The Proclamation Line was intended to be but temporary. The English government planned to make new treaties with pacified Indians and, as a result of land cessions, gradually to move the line farther west. Unfortunately, this was not made clear to the colonists in the Proclamation itself.

The third part of the Proclamation provided for land grants to veterans of

¹ No provision was made, however, for the administration of justice in the territory reserved for the Indians. Egremont and Shelburne had reached no agreement on the subject, and Hillsborough, either through haste or indifference, had done nothing about this problem.

the French and Indian War, ranging from fifty acres for privates all the way up to five thousand acres for field officers. Applicants must be residents in America and apply for their grants in person. This last clause caused a number of veterans to return to the colonies, among them Charles Lee, Horatio Gates, Richard Montgomery, and Arthur St. Clair, all of whom later participated in the Revolution on the American side.

Although the Proclamation was in part aimed at protecting the colonists from future Indian uprisings, there were immediate objections to it in America. Not realizing the temporary nature of the line, several colonies, notably Virginia, protested that the Indian reservation conflicted with their charter rights. Land speculators and companies, particularly the Ohio Company, fought the order, as did hunters and traders. Soldiers disliked being limited in their selection to "bonus" land east of the mountains. Colonists generally frowned on the non-representative features of the new colonial governments, believing that England might eventually abolish their own elective assemblies. Blame was also placed on English merchants for the Proclamation; the colonies assumed that they wanted to keep the Americans compactly located along the seaboard for better trade. Another American group thought that the Hudson's Bay Company was responsible, wishing to prevent competition from colonial hunters and traders. Behind all these protests was the erroneous belief that all features of the Proclamation were permanent. George Washington, however, did not share this view. He wrote:

I can never look upon that proclamation in any other light (but this I say between ourselves) than as a Temporary expedient to quiet the minds of the Indians and must fall of course in a few years especially when those Indians are consenting to our occupying their lands. Any person therefore who neglects the present opportunity of hunting out good lands and in some measure marking and distinguishing them for their own (in order to keep others from settling them) will never regain it.

The Shelburne-Hillsborough Differences. Differences of opinion concerning the Proclamation of 1763 were not limited to America. In 1764 the Board of Trade submitted an over-all plan for administering Indian affairs, based on the suggestions of Sir William Johnson. Under it, only the crown might obtain land from the Indians. A separate department of Indian affairs should be established, with power to regulate all trade, including prices, with the Indians. The administrative costs were estimated at £20,000 a year. The Grenville ministry, much concerned about the budget, believed this sum too high, so the proposal was rejected.

Lord Shelburne, a prime figure in formulating the original Proclamation, soon realized it was not functioning effectively. Therefore, when he became secretary of state for the Southern Department in the Pitt-Grafton ministry, he proposed in September 1767 that the whole Indian territory west of the mountains be abolished, along with the Indian superintendents. The region should then be divided into three new colonies: one centering at Detroit, one along the upper Ohio River, and the third in the Illinois country. This vast area would be

freely opened to white settlers and the trade therein controlled by the colonies, not the crown. Royal troops could be largely withdrawn, except for small garrisons at key points throughout the West.

This proposal was never adopted. It was vigorously opposed by several land companies, whose claims might be threatened by a large-scale westward movement. Against it as well were those who insisted that the plan would result in a new series of Indian uprisings. Another important factor was the establishment shortly afterward of a new cabinet post, the Secretaryship of State for the Colonies, whose first incumbent was Lord Hillsborough in January 1768. Hillsborough declared that there were a number of weaknesses in the Shelburne proposal, and two months later he gave formal approval to his own plan. The Indian superintendencies were to be continued, but with circumscribed powers; the agents could supervise the purchase of land from the Indians, and settle disputes among the crown, the whites, and the Indians. The fur trade and other problems of a local, as opposed to an imperial, nature would be controlled by the individual colonies. Because the over-all program would satisfy the Indians, royal troops would no longer be needed in the West; therefore, all posts except Niagara, Mackinac, and Detroit were to be abandoned. Gradually, the Proclamation Line could be moved farther west as treaties with the Indians opened land to whites. By 1771 General Thomas Gage had withdrawn the troops from all but these three posts, where they were regarded as necessary for protection against both French and Indians. All groups were apparently pleased, as were prospective settlers and land speculators. English merchants foresaw huge profits from the trade they anticipated.

Moving the Proclamation Line. An important result of the Hillsborough policy was a series of treaties with the Indians. One of the first was the Treaty of Hard Labour of October 1768, which Superintendent Stuart signed with the Cherokee. Under it the Proclamation Line was moved west along the Virginia border, following a boundary running from Chiswell's mine to the confluence of the Great Kanawha and the Ohio. The following month the Creek Indians, more friendly since the Congress of Pensacola in 1765, agreed to allow the South Carolina border to be pushed westward to a line running southward from Fort Tryon to the Savannah River, and the Georgia border to be moved to the Ogeechee River. Another agreement extending white control westward was the Treaty of Lochaber in October 1770, concluded by Stuart with the Cherokee. Under it the boundary was drawn from the mouth of the Great Kanawha to the forks of the Holston, thereby adding some nine thousand square miles to the colony of Virginia.²

In the North the most important treaty was signed at Fort Stanwix in November 1768 between the Iroquois and Sir William Johnson, who gave numerous presents to bind the bargain. The English gained full title to the territory

² Actually, John Donelson, when surveying this Lochaber Treaty line, did not follow the terms. Instead, he followed the route of the Kentucky River, with the result that Virginia obtained three times as much land as had been intended.

east of a boundary running from Fort Stanwix to the Delaware River, then roughly along the Susquehanna to the Allegheny, and along the Allegheny and the Ohio to the mouth of the Tennessee.

It is a moot question whether the British government intended opening up the territory gained by these treaties to immediate white settlement. But in America there was no doubt among frontiersmen, prospective settlers, and land speculating companies that the land west of the Proclamation Line was open to them. Indeed, some had already defied the Proclamation by moving into the area in question.

Land Speculating Companies. Even before the French and Indian War began, land speculating companies had been established. The first large-scale organization was the Ohio Company of Virginia, founded in 1747 by prominent colonists, mainly from Virginia. Its members desired first of all to obtain land grants west of the mountains. Next, that territory was to be made more attractive to potential purchasers; this might be done by constructing roads for better access, by erecting forts for protection against Indians, and by establishing trading posts to develop the fur trade, which was then more or less monopolized by the French and to a lesser degree by Pennsylvanians.

The Ohio Company petitioned the crown for half a million acres in the Ohio Valley, with two hundred thousand acres to be obtained immediately, provided the company settled two hundred families on the grant within seven years. In 1749 Governor Dinwiddie of Virginia was authorized to make the grant at the forks of the Ohio. Shortly thereafter, the company built several storehouses, the largest being at Redstone Old Fort, and sent out Christopher Gist to make preliminary explorations and obtain the friendship of the Indians there. The advent of war virtually ended the activities of the Ohio Company, but its organization and the subsequent crown grant indicated at that early date that both England and Virginia were interested in the settlement of the West. Also, the energies of the company helped to antagonize the French and thus bring on the war.

The only other organization of note was the Loyal Land Company (1748), which was the first to receive a grant (July 1748), not from the crown, but from Virginia. It consisted of eight hundred thousand acres west of the mountains. Dr. Thomas Walker was commissioned by the company in late 1749, and the following year he led a party into what are now Kentucky and Tennessee. Two hundred settlers had bought land east of the Cumberland Mountains by the opening of the French and Indian War, but the advent of hostilities ended both land sales and migration.

Thus, interest in the West had definitely been shown prior to 1754, and the war merely accentuated it. Governor Dinwiddie had encouraged the movement in another way by offering land to those who would enlist in the Virginia militia to fight the French.

Scarcely had peace come in 1763 than land companies started again to seek Western territory for speculative purposes. Original members of the Ohio Com-

pany reorganized as the Mississippi Company and brought in new recruits, including George Washington. The objective was to acquire a huge tract at the confluence of the Mississippi and Ohio rivers. The Royal Proclamation of 1763 temporarily suspended the company's efforts, but the Treaty of Fort Stanwix caused the members to revive their hopes, as did the Camden-Yorke opinion.³ A request was then made for 2.5 million acres between the Appalachians and the Ohio River. Negotiations were still under way when the Revolution broke out, and the company came to an end.

The Loyal Land Company also renewed its efforts after the Treaty of Paris, but it was not certain whether the Proclamation of 1763 affected its prewar grant from Virginia. Therefore, every attempt was made to have the Proclamation Line moved westward. Dr. Walker was active in negotiations leading to the Treaties of Fort Stanwix and Lochaber. Nevertheless, the company failed to gain royal title to its land, although it continued to be partly responsible for inducing settlers to migrate into southwestern Virginia.

The "Suffering Traders"—the companies of Baynton, Wharton, and Morgan and Simon, Trent, Levy, and Franks of Philadelphia—who had lost valuable trade and property during Pontiac's Conspiracy, sought to recoup their losses by engaging in land speculation. With the assistance of George Croghan, deputy Indian commissioner, they were instrumental in forming the Grand Ohio Company, also known later as the Vandalia Company and the Walpole Company, shortly after the signing of the Fort Stanwix agreement opened land in the West to white settlement. In 1769 Samuel Wharton and William Trent went to England to obtain a grant from the crown to "Indiana," a tract between Pennsylvania and the Little Kanawha River. When it appeared that nothing would be accomplished, the company was enlarged to include prominent Englishmen, among them Sir Thomas Walpole, and additional Americans, especially Benjamin Franklin. This larger organization then petitioned for 2.4 million acres that would be called Vandalia and become a royal-type colony. Strong opposition developed, however, from British officials, from Virginia, and from rival companies, and it never did receive its grant.

There were several other companies formed between 1763 and 1775 for the same purposes, but they also failed to gain the Western lands they sought. Nevertheless, land speculating companies were important in American history for several reasons. They helped to negotiate treaties with Indian tribes; those treaties, in turn, were partly responsible for the decision to move the Proclamation Line farther west; and the companies encouraged whites to settle in the newly opened territory beyond the mountains.

The Moving Frontier. The desire of colonists to move beyond the Appalachians was not a new trend, but part of the general westward movement that

³ This opinion—it had no legal validity—was submitted by Lord Camden, Lord Chancellor of England, and his ultimate successor, Charles Yorke. It said in substance that Indians (though actually it meant inhabitants of India) could sell their lands to individuals, and that the subsequent titles were valid without royal grant.

had already developed and that was to continue until the Pacific was reached. The desire for more fertile lands, for greater opportunities, and for new horizons had lured the early settlers from the Atlantic coast farther into the Tidewater, and then from the Tidewater into the rolling acres of the Piedmont. Each new group of immigrants, each new generation, tended to repeat the experiences of predecessors on a more westerly frontier. According to Frederick Jackson Turner, these experiences amalgamated the American melting pot most effectively, for a heterogeneous people was thereby unified and made stronger by gaining individual democratic views and similar fundamentals of life in the struggle with natural forces.

The same pattern of westward migration was followed in each new move. The first to brave the dangers of each succeeding frontier were the explorers, fur traders, missionaries, and sometimes miners and prospectors. Next came the so-called cattlemen, who sought cheaper land in the West on which to raise their livestock, for the older sections back East were being filled with permanent settlers, who now farmed the acreage that had once been pasture. The cattlemen forced the original occupants deeper into the interior, just as they themselves were pushed westward. And then came the final "wave" of farmers, consisting of newcomers to America who found land in the Tidewater and the Piedmont already in use, or younger sons who would not inherit Eastern holdings because of primogeniture, or those who were unhappy under governments dominated by aristocrats. Unlike the participants in the first two "waves," these men were interested in permanent settlement, and their story is most important in tracing the development of the West, as the frontier receded from the interior of the Tidewater, to the Piedmont, to the transmontane region.

Generally speaking, residents of the back country paid less attention to class distinctions or to family background than did the inhabitants of the Tidewater. A man was respected for what he actually accomplished, not because of the "blue blood" running through his veins. Thus, democracy, not aristocracy, was the order of the day. That being the case, little attention was paid to legal titles to the land on which frontiersmen settled. James Logan, writing to John Penn about the Germans and Scotch-Irish along the frontier, remarked:

Both of these sort sitt frequently on any spot of vacant land they can find without asking questions. They say the Proprietor wanted people to come and settle his country; they came for that end, and must live.

Efforts on the part of sheriffs to evict them were disregarded, and attempts to extend government control by aristocrats of the Tidewater were considered dictatorial.

They wanted to be let alone as much as possible, for their major interests were protecting themselves and their families from Indian attacks, clearing the land on which they had "squatted," raising crops and hunting the forests for food, and obtaining a livelihood in the new region. In their wilderness community, which was similar to that of earlier Jamestown and Plymouth, they had little opportunity for social and cultural niceties. "Book larning" had no place

in their rough way of living, and, in the absence of towns, culture could not have been promoted even if the time had been available. Yet, the enthusiasm with which visitors, with their news about the outside world, were greeted indicated that the frontiersmen desired to break their isolation.

The Trans-Appalachian Movement. Long before the outbreak of the French and Indian War adventurous colonists had penetrated the Appalachians in quest of more lucrative trade, furs, and sometimes land. Among them was Stephen Holston, who in 1746 reached the rich land of present eastern Tennessee by following the Tennessee River and its numerous tributaries. He persuaded several others to move to that section, but they were all driven back by hostile Indians. Thomas Cresap, lured by the call of adventure, had gone as far as the Forks of the Ohio by 1750. Three years later Christopher Gist blazed a trail from the Potomac River to Redstone Creek in southwestern Pennsylvania, and William Stewart worked his way to the Youghiogheny River, where he founded Stewart's Crossing.

Meantime, in 1750 Dr. Walker, acting for the Loyal Land Company, crossed the mountains into Holston Valley and on to Powell's Valley, where he discovered Cumberland Gap. The roughness of the terrain, however, prevented him from reaching the fertile lands of present Kentucky. A little later, in 1752, another restless soul, John Finley of Pennsylvania, was captured by Indians near the Forks of the Ohio and held prisoner in the Kentucky foothills. During his captivity he learned that the area, abounding with buffalo, deer, and turkeys, could be reached by the Cumberland Gap. On his release he returned home to encourage others to follow him to this new "promised land," but the advent of the French and Indian War thwarted his efforts.

That war was but a temporary barrier to the westward movement. Indeed, while it was still in progress, hardy souls started moving across the mountains as soon as danger of French and Indian attacks ceased, and even before. For instance, scarcely had Fort Duquesne fallen in November 1758 than traders and actual settlers moved into the surrounding territory by way of the military roads constructed by Braddock and Forbes. It has been estimated that two hundred houses were in the new Fort Pitt area before hostilities were concluded, the occupants having completely disregarded the Treaty of Easton. The Mohawk Valley in New York was the scene of settlement shortly after the English regained Fort Oswego and captured Fort Niagara in 1759.

Early Western Settlements: Watauga. The large-scale westward movement, however, did not begin until after the Treaty of Paris. Within a few years some adventurous Virginians had moved into the Kanawha and Greenbrier valleys and settled principally in what are now Charleston, Morgantown, and Wheeling, West Virginia. Farther south, similar movements were taking place. In 1768 a few Virginia families located at Wolf Hills (present Abingdon, Virginia) on the Holston River, and others moved southward until they reached the Watauga River, where several North Carolina families had settled about the

same time. In 1771 James Robertson, also of North Carolina, led seventeen families to the Watauga, and two years later John ("Nolichucky Jack") Sevier and a group from Virginia "squatted" along the Nolichucky River.

Under the leadership of Robertson, who has been called the "father of Tennessee," all the settlers in the region, meeting in general convention, adopted the Watauga Association (1772), "the first government erected beyond the Alleghenies, founded upon the first written constitution framed by native Americans." They then elected a representative assembly of thirteen delegates, who in turn chose five of their number—among them Robertson and Sevier—as "commissioners." Basing their government on the laws of Virginia (they wanted nothing to do with hated North Carolina) the commissioners met regularly in "court," supervised the recording of deeds and wills, issued marriage licenses, prosecuted horse thieves, and adjudicated all "legal" differences among the settlers.

For three years Watauga managed its own affairs, despite the fact that it lay within the jurisdiction of North Carolina. In 1775 the Watauga settlers united with those on the Nolichucky River to form Washington District—the first political division, it is claimed, to be honored with that name. The following year, with the Revolution in full progress, Watauga's frontier position was in jeopardy. Therefore, it reversed its independent attitude and petitioned for representation in the Provincial Congress of North Carolina. This request was granted, and John Sevier was chosen delegate. Then, in 1777 the North Carolina legislature created Washington County in present Tennessee, and Watauga ceased to exist.

The Transylvania Company. While Watauga was operating under the Association, other settlements were made farther west. In the summer of 1774 James Harrod led a small group from Pennsylvania into central Kentucky to establish the town of Harrodsburg. Almost immediately destroyed by Shawnee in Lord Dunmore's War, it was rebuilt the following year. Also in 1774 Judge Richard Henderson of North Carolina organized the Louisa Company, renamed the next year the Transylvania Company, to promote settlement in Kentucky. In March 1775, by the Treaty—actually a deed—of Sycamore Shoals (on the Watauga River), the company acquired from the Overhill Cherokee for £10,000 the vast region between the Cumberland and Kentucky rivers, which was now named Transylvania.

Daniel Boone had already blazed a trail between the Holston and Kentucky rivers, the first regular path into the "Dark and Bloody Ground" of Kentucky, famous in history as the Wilderness Trail. It ran through Cumberland Gap, crossed the Cumberland, Laurel, and Rockcastle rivers, and terminated on the Kentucky. There, on April 1, 1775, Boone, acting as Henderson's agent, founded the town of Boonesborough, where he was soon joined by Henderson and a party of forty mounted riflemen. At Boonesborough, Henderson opened a land office and organized a government for Transylvania.

But his hopes were premature. The Transylvania purchase was in direct con-

travention to the Royal Proclamation of 1763, and neither the British nor colonial authorities would recognize its validity. As part of this "colony" lay within Virginia and part within North Carolina, the governors of both issued proclamations declaring Henderson's purchase null and void.

Henderson and his company disregarded both royal and colonial orders. Instead, in September 1775 they sent James Hogg to Philadelphia to memorialize the Continental Congress "for admission into the ranks of the United Colonies as the fourteenth colony." When the delegates from Virginia and North Carolina prevented a vote on this petition, Henderson's grandiose scheme collapsed. In compensation for his "expence, risque and trouble," however, the Virginia legislature in 1778 granted two hundred thousand acres in that part of Transylvania that lay within her limits to the Transylvania associates, and five years later North Carolina made a similar grant within her Western lands in Tennessee.

Lord Dunmore's War. The movement of white settlers into the West naturally led to conflict with the Indians. At the same time, Virginia claimed that Pittsburgh was rightly in her territory, not in that of Pennsylvania. Consequently, Lord Dunmore, governor of Virginia, sent Colonel John Connolly to Fort Pitt in early 1774, which he seized and renamed Fort Dunmore. From this vantage point Connolly planned to retaliate against the Indians of the neighborhood for their earlier depredations.

The Shawnee were more than ready to resist Connolly's men, for the tribe insisted that the whites were trespassing. Fortunately for the colonists, the Delaware were persuaded by Moravian missionaries to remain neutral in the expected hostilities. Dunmore, realizing the gravity of the situation, called out the Virginia militia under General Andrew Lewis and warned frontier settlers to congregate in the nearest forts. Several raids were then made against Indian towns along the Muskingum River, and the governor himself went to Fort Dunmore, not only to participate in the eventual attack on the Shawnee, but to strengthen Virginia's title to the Forks of the Ohio.

Before Dunmore could join up with the militia, Chief Cornstalk and his Shawnee braves attacked the Lewis expedition at Point Pleasant, at the mouth of the Great Kanawha, on October 10, 1774. In a bitter all-day battle the Indians were decisively defeated and immediately appealed to Dunmore for peace. A subsequent treaty recognized the claim of the whites to the disputed area.

Lord Dunmore's War was significant in that it ended an important menace to white expansion and prevented the Shawnee from joining the British during the Revolution. Also, the experience gained by the Virginia militia served them in good stead in the battles of the Revolution.

Sectional Conflict. Although Lord Dunmore's War ended, temporarily at least, the Indian menace, Western settlement contributed to another type of conflict. Between the primitive agricultural economy of the back country and

the commercial and landed aristocracy of the coastal area, separated geographically and differing widely in interests and ideals, this conflict was inevitable. The older areas were characterized by conservatism. By and large, New England and the Middle colonies were dominated by commercial aristocracy, in which the influence of Boston, Salem, Newport, New York, Philadelphia, and other towns was very strong. The old Puritan families in New England, especially those who were merchants, shippers, importers, and shipbuilders, were powerful forces in the economic, political, and social life of their communities. The influence of the commercial class, particularly those of Dutch extraction or of the Anglican faith, were potent elements in New York, as were the Quakers in Philadelphia, where "meetinghouse and countinghouse" made a successful combination. Much has been written about the liberalism of Pennsylvania, but the statement that the people of the colony were "liberal only when liberalism meant profits" may not have been far wrong. Political control of the "older South" was largely in the hands of the planter-slaveholding aristocracy, many of whose members were of the Anglican faith. This control was retained by suffrage restriction and domination by the older counties of representation in the colonial legislatures.

Back country or sectional opposition to this state of affairs was not new. Indeed, as early as 1719 there had been an uprising in South Carolina against Charleston domination of colonial politics, which contributed to the overthrow of proprietary rule in the whole province.⁴ Even earlier, the Albemarle-Cape Fear controversy over representation had almost precipitated open conflict.⁵

These early omens of dissatisfaction failed to change a situation that steadily worsened as the eighteenth century advanced. In all colonies the East continued to be overrepresented and the West underrepresented. The conflict over this issue, particularly bitter after 1740, came to a head in Pennsylvania in 1764. In that year twenty-six assemblymen were allotted to three eastern counties and only ten to five western ones. The embittered people of the latter complained that they

ought not to be excluded from an equal share . . . in the very important privilege of legislation. . . . [Discrimination] is oppressive, unequal, and unjust, the cause of many of our grievances, and an infringement of our natural privileges of freedom and equality; wherefore we humbly pray that we may be no longer deprived of an equal number with the three aforesaid counties, to represent us in Assembly.

The Westerners were also unhappy because they were not given adequate protection during Pontiac's Conspiracy, and they vented their wrath on the peaceful Conestoga Indians, killing at least twenty near Lancaster. Governor John

⁴ The colonial law required that elections for the whole province be held at Charleston. Naturally, this worked a hardship on those in the interior, who found it difficult and sometimes impossible to make the trip to the coast to vote, and it gave a political advantage to the aristocratic Charlestonians.

⁵ The Albemarle counties had five representatives each in the legislature; the Cape Fear counties, only two each. In addition, quitrents were higher in the latter than in the Albemarle region.

Penn demanded that the culprits, some fifty "Paxton Boys,"⁶ be arrested, but the local justices and juries, sympathetic toward the actions of the frontiersmen, would not find them guilty. The Westerners, determined to gain equitable representation and adequate protection, were no longer content to send remonstrances to the legislature. Therefore, in January 1764 about six hundred "back country inhabitants," fully armed, started a march to Philadelphia, under the leadership of Lazarus Stewart. Fortunately, Benjamin Franklin was able to dissuade the "Paxton Boys" from further violence, and they returned home.

Similar unrest was not quelled so easily elsewhere. The North Carolina situation was just as critical. The East had fifty members of the assembly, the West but eleven. Five counties in the Albemarle region, with a population of about three thousand whites, had twenty-six members, whereas one western county, with more than three thousand, had only two. And Thomas Jefferson, writing about Virginia as late as 1780, said that "19,000 men living below the Fall give law to more than 30,000 living in other parts of the state." He thereby stated the major reason for the opposition between the older and newer America so characteristic of American politics for a century after 1740.

But there were other reasons than the Western demand for political equality that promoted the natural and inevitable conflict between East and West. The commercial and plantation economy of the East was at constant variance with the self-sufficient agriculture of the back country. Eastern creditors were at odds with Western debtors, and aristocrats did not see eye-to-eye with the democratically inclined settlers of the Piedmont and beyond. In the Southern colonies the dissenters, usually led by Scotch-Irish Presbyterians, vigorously protested against the Established Church, resenting in particular the laws that permitted only Anglican clergymen to perform the wedding ceremony.

The Regulators. As the rumblings of discontent continued unheeded by the aristocrats, the Western regions became more and more dissatisfied with their lot. The culmination was the development of the so-called Regulator movement in the Carolinas. The people of the back country of North Carolina had numerous causes for complaint. Their county governments were not truly representative. Local offices were sold or farmed out to the highest bidders, and one person might hold as many as six or eight positions. To make matters worse, some officeholders were not even residents of the county, but were "colonial carpetbaggers." The colonial government, furthermore, paid no attention to local protests, for it held the eighteenth-century view that officeholding was a gift of king or governor and the office the property of the incumbent.

Taxation was unfair. Even though the Western counties were not given equitable representation in the legislature, their residents were taxed at the same rate as those in the East. In addition, poll taxes were levied on slave property on a per capita basis, not according to value. And the revenues from the taxes were spent principally in the East and were often wasted, as when

⁶ So-called because they lived in the town of Paxton.

£15,000 was spent to build Governor William Tryon's "Palace." There were also irregularities in the collection of taxes. Tryon wrote in 1767 that "the sheriffs have embezzled more than half of the public money ordered to be raised and collected by them," and three years later he reported that these officers had turned in £49,000 less than they had actually received. Moreover, court officials and lawyers charged exorbitant fees when frontiersmen went to court.

The land situation caused further grievances. In the Granville District,⁷ for example, it was next to impossible for settlers to obtain adequate titles. And yet, when they failed to pay their taxes, they were summarily distrained by the hated sheriffs.

The Westerners also complained that there were not enough counties. This made it difficult for them to vote and lengthened the distance from court towns, making justice more difficult to obtain. Nor were there enough ministers, and parishes were few and far between, thereby limiting their religious activities. Adequate protection was lacking along the frontier, not only against Indian attack, but also against the depredations of horse thieves. Last, but not least, the Westerners objected to the scarcity of money in their communities.

The first organized effort to redress these grievances took place in Orange County in August 1766, where a mass meeting issued "Regulation Advertisement Number 1." This appeal requested all the people of the colony to end the various abuses to which they were being subjected. When the "Advertisement" reached the legislature, it was ignored. The irate Westerners nevertheless continued their protests, the next of importance being the petition of Orange and Rowan counties directly to the Assembly, which opened with the words:

Your poor Petitioners having been continually Squez'd and oppressed by our Public Officers both with Regard to their fees as also in the Laying on of Taxes as well as in Collecting together with Iniquitous appropriations, and wrong applications...

It then gave a detailed outline of those grievances.

When a deaf ear once more was turned to the protests, the "Regulation" was formally organized in 1768. The Western leaders went on record as to what they insisted must be "regulated": (1) they would pay no taxes until they were sure the levies were legal and just; (2) they would pay no more extortionate fees; (3) they would contribute to a fund to take care of the expenses involved in their movement; (4) they would meet regularly to keep the movement alive; and (5) if differences arose among them, majority wishes would prevail.

Governor Tryon refused to heed the continued remonstrances of the Regulators, asserting that the grievances did not warrant such extreme actions. He warned them to give up their name and their activities, to pay their taxes, and to obey all local officials. One of the Regulator leaders, Herman Husband, reported that the governor seemed "inclined to the other side, multiplying all our faults to the highest pitch he was capable of." Despite his warning, how-

⁷ The Granville District embraced the upper half of North Carolina. It was owned by the Earl of Granville, who had inherited the original Carteret share of one eighth of all Carolina.

ever, Tryon realized there was some justice in Regulator complaints, and consequently ordered officials and lawyers to stop charging extortionate fees.

Neither action by Tryon settled the problem, and the situation steadily worsened. Riots occurred in several counties in September 1770, the most notable at Hillsborough. The worried legislature answered with the Johnston or "Riot" Act, which enabled any county to try persons accused of rioting, regardless of the scene of the trouble. The measure also outlawed anyone resisting arrest and empowered the governor to suppress the Regulators by force. Husband was arrested for libel, but the grand jury refused to indict him.

One important result of the Johnston Act was an increase in the number of Regulators. Rumors were rife that they were going to burn the capital city of New Bern. New resolutions were drawn up, denouncing the "Bloody Riot Act," as well as forswearing the payment of taxes. Courts would not be allowed to sit, and threats were circulated that all judges and lawyers would be killed.

The Battle of Alamance. In the face of this mounting unrest, Governor Tryon decided to act before a real crisis developed. He promptly called out the militia to suppress the Regulators, and nearly fifteen hundred, mainly from eastern counties, responded. Under Tryon's personal leadership, they moved to Great Alamance Creek, near Hillsborough, in the middle of May 1771, where two thousand poorly armed and undisciplined Regulators were gathered. The request of the Regulators for a hearing was refused because "they were in arms against the government," and in turn the Regulators would not disband. Consequently, the two groups battled for two hours, with Tryon's militia gaining "a signal and glorious victory . . . over the obstinate and infatuated rebels."

Subsequently, six of the leaders of the Regulators were hanged for treason, but Tryon offered clemency to the rest if they laid down their arms and agreed to respect colonial authority. More than six thousand took advantage of this pardon. On the other hand, it is estimated that fifteen hundred families moved west into present Tennessee, refusing to stay within the immediate jurisdiction of North Carolina. During the Revolution some of these "unredeemed" Regulators fought on the British side.

Frontiersmen of South Carolina had similar grievances, and they too drew up a "Plan of Regulation" in 1768. There was no rioting, however, as in the neighboring colony, and no defeat such as the one at Alamance. Back country Virginia likewise had numerous complaints, most of which were the same as those of North Carolina, but with the additional grievances that no roads or bridges had been built, that river navigation had not been improved, and that quitrents were too frequently diverted. No Regulation movement developed at that time, however, and it was not until years later that the causes of frontier friction were removed.

Development of Greater Colonial Unity. Despite the controversies between Tidewater and Piedmont or frontier, the influx of Germans, Scotch-Irish, and other national stocks to the back country did promote colonial unity. In the

older communities there had developed a provincial loyalty as the result of the very nature of settlement, the absence of early physical contacts, and the local prejudices and conflicts. There was no such loyalty to a single colony among the Germans, Scots, and others in the frontier communities. The influence of common interests, among them family ties, Indian dangers, the nature of trade routes, and church organization, promoted a cohesiveness and unity absent in many of the older settlements. The intercolonial character of church organization may serve as an excellent illustration. There was a close connection among the Lutheran, Moravian, and Reformed churches in Pennsylvania and those to the southward. The Philadelphia Synod had control of Southern Presbyterian churches almost to the close of the colonial era. Another binding force was the large number of Southern youths who attended what is now Princeton.

Thus, there was a resulting breakdown of provincial ties through the development of common interests and the growth of a feeling of unity. Carl Becker, writing about this trend, said:

In the back country, lines of communication ran north and south, and men moved up and down the valleys from Pennsylvania to Georgia . . . scarcely conscious of the political boundaries they crossed, and in crossing helped to obliterate.

And a contemporary, Patrick Henry, orator and lawyer of Virginia, in a speech in the First Continental Congress (1774), summed up what was happening in America when he said:

Government is dissolved. . . . Where are your landmarks, your boundaries of colonies? We are in a state of nature. . . . The distinction between Virginians, Pennsylvanians, New Yorkers, and New Englanders are no more. I am not a Virginian, but an American.

THE GRENVILLE PLANS

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The interrelated problems of the West—government for the new territories, the fur trade, the Indians, and the Tidewater-back country conflicts—were not the only issues faced by the British government in its efforts to weld the empire together under the new policy. Causing much greater colonial antagonism were the attempts of the Grenville ministry to amend and enforce existing trade laws, to enact new ones, such as the Sugar Act, and, more particularly, to find new sources of revenue in America to help pay the future costs of colonial administration and defense. To serve the latter objective, the prime minister inaugurated a new method of taxation, the Stamp Act, which helped bring to a climax the conflict over colonial rights under the British constitution. Although English protests and American opposition both contributed to the repeal of the stamp measure, the British government still adhered to the centralization policy of the new imperialism by enacting the Declaratory Act. Even though little attention was given to this statute at the time, its passage clearly indicated the differences between mother country and colonies, which could ultimately be decided only by separation.

Plans for Greater Control. One of the first steps taken by the Grenville ministry while drawing up the new budget was to study how the acts of trade had been functioning. Charles Jenkinson, secretary of the treasury, was commissioned in May 1763 to find out why the revenue from those acts had diminished. The reply of the commissioners of customs at London was that they were being flagrantly violated and evaded. It was revealed that the two existing laws for raising revenue in the colonies, the Plantation Duty Act of 1673 and the Molasses Act of 1733, had brought in only £35,216 and £21,652 respectively during the preceding thirty years. The commissioners believed that one of the reasons for colonial evasion was that the levies under the Molasses Act were too high. In addition to lowering those duties, the commissioners made several suggestions for more effective enforcement of the acts of trade.

The Lords of the Treasury supported these suggestions on October 4, 1763, as a result of the investigation of the colonial customs service. They issued this statement:

We observe with concern that through neglect, connivance, and fraud, not only the revenue is impaired, but the commerce of the colonies is diverted from its natural course

and the salutary provisions of many wise laws to secure it to the mother country are in great measure defeated.

A number of proposals were then made to the ministry to correct the widespread abuses.

George Grenville was in hearty sympathy with the various suggestions for stricter enforcement of the trade laws. As a staunch mercantilist, he believed that the future strength of the empire depended on wiping out all forms of illicit trade. According to one authority, he "had read American despatches" and learned that between 1733 and 1763 the average annual revenue from the colonies was only £1,900, at a yearly cost of £7,600. Smuggling in the New England colonies alone had cost the British government some £100,000 in lost revenue. The suggested reorganization of the customs service and enforcement of amended regulations would plug existing loopholes. Furthermore, the additional jobs available for Englishmen in such tasks would lighten the civil list at home. All would contribute to balancing the budget.

That budget contained an item of more than £350,000 for maintaining ten thousand troops in America.¹ To effect a balance, the colonies should pay between one third and one half of this amount—not all—because protection would help the whole empire. Thus, to raise the necessary £100,000 to £150,000 in America, certain steps obviously must be taken.

First of all, the enforcement of existing laws must be ensured. Consequently, all officials connected with supervision of the trade laws must report to their posts by August 31, 1763, and "constantly to reside there for the future," instead of remaining in England as so many had done in the past. As Lord Egremont wrote, this was because smuggling was an "iniquitous practice," which had become so widespread that it had led "to the diminution and impoverishment of the public revenue, at a time when this Nation is labouring under a heavy Debt, incurred [in] the last War for the protection of America." According to one authority, this was the first governmental indication that the Navigation Acts were to be regarded as a source of revenue.

In the second place, a circular letter was sent to all colonial governors, in which was emphasized their responsibility to help enforce the trade statutes by giving assistance to the customs officials and by recommending to the home government new methods of preventing illicit trade. The governors were also warned, incidentally, that the clause in the Navigation Act of 1696 concerning fine, imprisonment, and removal from office was still operative in their case.

The third step was approved by Parliament in "An Act for the Encourage-

¹ The decision to have these troops stationed in America had been made sometime between December 1762 and February 1763. Thus, there was no connection between this decision and the outbreak of Pontiac's Conspiracy, which did not occur until the following May. Some Englishmen advocated fewer troops; others, more. The purpose was in line with the new imperial policy: to protect the enlarged empire from French and Indian attacks and to make sure that the new French and Spanish subjects did not revolt. The annual prewar cost of maintaining troops in the colonies had averaged £100,000. Although Grenville asserted that the military expenses in 1763 would be £350,000, actually this figure included other than military costs, which amounted to only about £220,000.

ment of Officers making Seizures," which gave commanders of British naval ships in American waters increased authority in dealing with suspected smugglers. A special inducement granted the crews that captured vessels engaged in illicit trade up to one half of the prize money. This part of the law, it has been said, turned naval officers and crews into "customs-house officers and informers." Then, because some of the officials had been hand-in-glove with smugglers in the past, the fees and perquisites that had been responsible for such collusion were replaced by poundages determined by the amount of revenue collected. The act likewise increased the authority and jurisdiction of the vice-admiralty courts, which could have original jurisdiction in any smuggling case the customs agents wished to take to them.² What might be called the "supreme" admiralty court was to be located at Halifax, where the main British navy in American waters was anchored. Because of this location, the judges could not possibly connive with colonial smugglers.

This act had its reverberations in the colonies. Many a naval vessel, its officers and crew anxious to obtain prizes, made seizures in reckless fashion without conforming to the letter of the law. Moreover, mutual contempt developed between naval officers and colonial traders that boded ill for future relations. Colonial protests, especially from New England, grew in number and bitterness as checks upon commerce, particularly with the West Indies, were anticipated.

Despite these American protests, the early Grenville proposals were popular in England, where Britons looked forward to the time when strict enforcement might ease their own financial burdens through increased customs receipts and improved business. Yet, Grenville should have foreseen that American dissatisfaction would mount when he put into effect the second aspect of his imperialistic plan—the raising of additional revenue in the colonies to be used for their administration and defense.

The Sugar Act. Parliament was prompt to answer the prime minister's request for a new measure by passing in April 1764 the American Revenue Act, more popularly called the Sugar Act. This statute, largely the work of Charles Jenkinson, was a modified continuation of the hated Molasses Act, several parts of which were about to expire, but now were to be made permanent. The new law was to differ in several ways: it was to be a true revenue-producer, it was actually to be enforced, it was not expected to be injurious to the colonies, and the proceeds were to be spent in America. That its objectives were different may be determined by comparing the respective titles. The Molasses Act had been a measure "for better securing and encouraging the trade of his Majesty's sugar colonies in America"—in other words, an act to regulate trade; the Revenue Act of 1764 was a law "for granting certain duties in the British colonies . . . in America . . . for defraying the expences of defending, protecting and securing the said colonies"—in other words, an act to raise money.

² Although courts of vice-admiralty had been operating in America since 1696 in maritime cases, an ambiguous clause in a law of 1697 enabled the regular colonial courts to take over jurisdiction in cases involving the various acts of trade.

The Sugar Act stipulated several principal types of commodities on which duties were to be levied: foreign molasses imported into the colonies, on which the duty was reduced from 6d. per gallon to 3d.,³ and sugar, the levy on which was increased by one pound two shillings per hundredweight; foreign rum could not be imported, but British rum could enter duty-free; certain wines sent directly to the colonies from their place of manufacture, on which high duties were placed;⁴ coffee and indigo⁵ of non-British production and coffee and pimento imported from other British possessions; and silks and other luxury textiles from France and the Orient, on which there was a high duty, even if imported into the colonies by way of England.⁶ It was estimated that the revenue from these levies would bring in £25,000 annually. A number of drawbacks or rebates were abolished, at an estimated saving of £20,000 each year. Finally, additions were made to the enumerated list.

Just as important as the raising of more revenue was the regulation of trade, and the Sugar Act is most significant because it attempted to remodel the imperial economy along the lines of the new imperial policy. Jenkinson expressed this objective well when he wrote:

The increase in our Colonies is certainly what we wish, but they must increase in a manner as will keep them useful to the Mother Country.... With this view all the provisions of it are formed, and as far as it is necessary for this purpose to restrain the commerce of our Colonies, it is an evil to which I think they ought to submit for the good of the whole....

Therefore, several of the orders and suggestions recently sent to governors and customs officials by the secretary of state for the Southern Department or by the Lords of the Treasury were enacted into law by Parliament to give them greater weight.

Not only could customs officials elect to take cases involving infringement of the acts of trade to the new vice-admiralty court at Halifax, but, through the institution of new trial methods, the customs officials were practically freed from civil suits defendants might bring against them in the regular colonial courts. Fines meted out by the admiralty courts were frequently treble the value of goods involved, and were equally divided among the informant, the governor of the colony where the seizure was made, and the British Treasury. The Hover-

³ As a result of a careful study of prices of molasses and rum in the colonies, the Lords of the Treasury believed the colonists could pay 3d. a gallon duty on foreign molasses and still make a profit. The Americans had to pay at least half that amount to smuggle successfully, so actually the additional levy amounted to only 1½d. a gallon.

⁴ The high duty on French wines might encourage colonists to buy the cheaper, though inferior, wines of English make.

⁵ The 6d. a pound duty on indigo was not so much for the purpose of revenue as to protect a so-called infant colonial industry needed for imperial self-sufficiency.

⁶ The resulting high prices of these luxury items might lead Americans to go into the manufacture of linens on their own. The British leaders believed, however, that the chances were remote because of the high cost of colonial labor. But if they perchance did, the drawbacks would be restored. In justifying the high duties, the Lords of the Treasury said the silks and other textiles were luxury goods; if colonists could afford them, they could afford the duty.

ing Act of George I was also extended to the colonies. Under it, every ship sailing more than two leagues—about seven miles—from the coast must carry a cocket or list of everything contained in its hold; failure to do so might result in confiscation of all unlisted items. By placing the distance at seven miles, the new regulations included the hitherto scarcely touched intercolonial or coast-wise trade. The number of bonds to be furnished by shipowners increased, and some owners might be required to have as many as four different types of bonds as insurance for proper delivery of cargo. Thus, through thorough reform of customs procedures and more effective methods of trying smuggling cases, the Grenville ministry expected to make this aspect of the new imperial policy a success.

Colonial Reaction to the Sugar Act. The Sugar Act gave the Americans a whipping boy for their postwar economic troubles, but in so doing they overlooked the major implication involved: the British government for the first time was regarding the colonies as a source of revenue. Actually, the depression of 1764 was occasioned by heavy local wartime taxation, the sudden loss of wartime contracts with the British armed forces, the suspension of illicit trade with the French, and the ending of profits from privateering. The hard times the colonists anticipated from the enforcement of the Sugar Act actually materialized two months before it was passed. The colonial press constantly carried accounts of the high cost of living, the growth of unemployment, the decline in business, poor families in distress, and the establishment of charitable organizations to help them. A typical expression for the colonies generally was to be found in the New York *Post-Boy* of February 2, 1764: "There are more Houses to be let, in this City, than there have been at any time for 7 years past. The commerce of the continent is in a languishing condition; our Debt in Europe increases; our Power to pay it off decreases."

The colonists, however, found something more tangible to blame when they learned about the passage of the Sugar Act. There were, it is true, some logical causes for complaint. Rhode Island, for example, was most vehement as it fore-saw the blow to its molasses trade with the foreign West Indies. As the colony pointed out in a remonstrance to the Board of Trade, that commerce was the foundation of its prosperity. The rum industry imported fourteen thousand hogsheads of molasses annually, of which only twenty-five hundred came from the British islands. The three-penny levy on imports from French islands would therefore be ruinous. Moreover, continued the Rhode Islanders, they bought £120,000 worth of goods from England each year, but sold only £5,000 worth to Britons. How could the difference be paid for if its source of income were diminished?

Complaints were also directed against the need for so many bonds, which could be obtained only at the customs houses. This worked an especial hardship on rural areas, which might be far distant from those customs houses. The admiralty courts operated without juries, and therefore would deprive the colonists of an important right as Englishmen. The main court at Halifax was far away,

thereby causing financial hardship for defendants. Protest was also directed against the clause freeing customs officials from civil suits; this would encourage many unwarranted seizures. Article XLI was a special cause of complaint; the colonists interpreted it to mean that all duties and fines must be paid in hard money. They declared that to do so would mean the draining of specie from America.⁷ Finally, they objected to the way the revenue would be spent—to support British regulars in America. To the colonial way of thinking, such troops were in America not to protect the empire, but to enforce the British laws in the colonies, and the colonists could point out that many of the soldiers were quartered in seaboard towns, not in the interior where the supposed danger of attack was greatest.

In an attempt to combat the effects "of the present deplorable State of our Trade" resulting from the Sugar Act, New York City established the Society for the Promotion of Arts, Agriculture, and Oeconomy. This agency was expected to promote "the True Interest of this Colony, both public and private." Premiums were offered to those who developed local industries, with special emphasis on linenmaking and production of flax. Spinning schools were also set up to teach the new trade. Other communities copied New York's example.

With New England leading the way, organizations of merchants in the commercial colonies sent formal remonstrances to Parliament and the Board of Trade, asserting that the recent legislation was killing their trade, much of which was dependent directly or indirectly on molasses. The Massachusetts protest blamed the West Indian planters for their plight, and warned that "every prudent man should betake himself to husbandry" to avoid the ill effects of the law. The New York Assembly ordered that its committee that corresponded with the colonial agent in England should also

write to, and correspond with the several Assemblies on this Continent, on the subject Matter of the Act, commonly called the Sugar Act; of the Act restraining Paper Bills of Credit in the Colonies from being a legal Tender; and of the several other Acts of Parliament lately passed, with Relation to the Trade of the Northern Colonies; and also on the Subject of the impending Dangers which threaten the Colonies of being taxed by Laws to be passed in Great Britain.

Popular mass meetings were held throughout the colonies against the measure, and pamphlets suddenly appeared in open criticism. Oxenbridge Thacher, for example, wrote *The Sentiments of a British American*, in which he asserted that the Sugar Act was not only unjust to the American colonies, but dangerous to Britons everywhere because it interfered with the normal course of trade. It would result, he said, in the colonies turning to the manufacture of their necessities or doing without them completely.

The first important protest was voiced by a Boston town meeting on May 24, 1764, when Samuel Adams introduced a parallel measure in the Assembly; the

⁷ Actually, the law did not specifically say hard money, and even if that were the intention, the colonies would not have been so badly off, as the proceeds were to be spent in America.

basic principles included were the colonists' right to the privileges of Englishmen, no taxation without representation, and the need for united colonial opposition to the Sugar Act. The Assembly adopted these principles within the week, and added another: a Parliamentary act contrary to the constitution is "mere power without right, and consequently void." James Otis gave more publicity to these theories when he elaborated upon them in his *Rights of the Colonies Asserted and Proved*. The Southern colonies, on the other hand, voiced little complaint. Their chief market was the mother country, and, therefore, their trade was relatively little affected by the Sugar Act.

The depression and colonial opposition combined to cause a diminution of purchases from Britain. Consequently, before the end of 1764 English merchants and manufacturers became critical of the Sugar Act. The ministry, however, paid scant attention to their protests; it was too busy with other proposals affecting America. The Sugar Act remained unchanged, with the exception of a decrease in the molasses duty to one penny a gallon in 1766, during the eleven years it was in operation. The various customs collected under it constituted the largest amount the British government raised in America under a single law. It has been estimated that an average of £30,000 a year was collected. That does not seem to be a very heavy drain upon a population of some two million. Actually, however, the burden was not uniform. Most of it—some 70 per cent—was shouldered in the six ports of Boston, Salem, Newport, New York, Philadelphia, and Charleston. In addition, the measure, as has been pointed out, involved a new theory, and it did not bring in much more than 20 per cent of what Grenville estimated the colonies must contribute to their administration and defense.

The Currency Act. The next step in the Grenville program was the Colonial Currency Act of 1764, which forbade "such bills of credit, as may hereafter be issued within any of his Majesty's colonies . . . in America, from being made legal tender in payment." A governor who signed any measure providing for the emission of legal tender paper was liable to a fine of £1,000, the loss of his position, and permanent disbarment from public office. From the English standpoint, the Currency Act was not unfair, as England herself had for a long time prohibited the use of legal tender paper at home, even including Bank of England bills of credit and Exchequer notes. Moreover, Parliament had taken action in 1751 against the New England colonies. Thus, the Currency Act was merely extending to all the colonies the prohibition against New England, which the Board of Trade had considered a success. In addition, colonial governors had been instructed intermittently in the past against approving measures for bills of credit. Many an Englishman thought the recent colonial emissions were a device to defraud English creditors.

During the French and Indian War rising prices, helped along by the scarcity of hard money in the colonies, had resulted in the emission of about £750,000 in legal tender paper by the various colonial assemblies. Virginia, especially hit by hard times, had issued approximately one third of this total, making the

paper legal tender for private obligations, both old and new. Farmers in the rural districts and artisans in the town were particularly pleased by this inflation, but many merchants and other creditors in both America and England were vigorously opposed. When their outstanding obligations were paid in paper, these creditors discovered that the paper had depreciated in value, and thus they "lost half or three-quarters of what was due them." One Englishman believed the colonists wanted to pay "their British debts with an American sponge."

From the American point of view, however, the Currency Act was obnoxious, coming as it did on the heels of plans for enforcing the Navigation Acts, which threatened to cut off the colonies from their most lucrative source of hard money, and the Sugar Act, which required all duties and fines to be paid in specie. The New York Assembly voiced the opinion of many when it resolved "that if the said Plan be carried into Execution, it will not only highly reflect on the Credit, Honour, and Punctuality of this Colony, but also reduce it to a State of Bankruptcy." The act was opposed not only by debtors who wished to pay their debts in depreciated paper, but by merchants and traders of colonies that had managed their currency well. The Currency Act would deprive this latter group of their only stable medium of exchange. To Benjamin Franklin, this measure seemed a principal cause of colonial unrest.

The Stamp Act. Because the Sugar Act was calculated to produce but a small percentage of what Grenville believed the colonies should contribute toward their administration and defense, he proposed to raise most of the remainder through "certain stamp duties." Stamp taxes had been in vogue in England for some time, and earlier in the century several Americans had urged that medium for raising revenue in the colonies. A onetime governor of Pennsylvania, William Keith, had so proposed on three different occasions, accompanying these suggestions with what he considered cogent arguments. Several other colonial officials, such as Lieutenant-Governor George Clark of New York in 1744, who claimed to understand the American mind, also believed there was no better method of taxation. Indeed, during the French and Indian War, New York had enacted a stamp tax. On the other hand, when the matter was broached to Robert Walpole in 1739, he had replied that "he already had the Old World against him, and he did not want the new against him also." And five years later Governor George Clinton of New York doubted the expediency of a Parliament-passed stamp law for America. He said, "People of North America are quite strangers to any duty, but such as they raise themselves, and was such a scheme to take place without their knowledge it might prove a dangerous consequence to His majesty's interests."

Despite the differences of opinion, Grenville originally proposed a stamp tax for the colonies in March 1764.⁸ Because it was the first attempt at direct taxation of America, the prime minister did give a year's respite, that the colonies

⁸ Henry McCulloh, a speculator in colonial lands, and Governor Robert Dinwiddie of Virginia may have been instrumental in persuading Grenville to take this step.

might propose a more satisfactory method of raising the desired amount. The alternative was suggested that each colony be asked to raise its quota through its own legislature, but most American answers protested against the proposal in general because of the mounting colonial resentment of Parliamentary taxation. Six colonies forwarded vigorous objections through their assemblies, based on four major arguments. First, the proposal was contrary to "the ancient, established, and regular method of drawing aid from the colonies." The proper method was the royal requisition. As Franklin summarized the Pennsylvania protest on this score, when the king "would obtain anything from them," he "always accompanied his requisition with good words," but Grenville, "instead of a decent demand, sent them a menace, that they should certainly be taxed and only left them the choice of the manner." The second argument emphasized colonial indebtedness, incurred largely in imperial wars, which amounted to more than £2.6 million. Of this sum they had already paid off £1.85 million. Why should they now be asked to tax themselves, or be taxed by Parliament, in addition? The third contention stressed the difficulty of paying for stamps in specie, already scarce because of existing Parliamentary restrictions on colonial trade. America did not deny the right of Parliament to raise revenue through trade regulation, but did question its right to levy direct taxes. Finally, stamp duties were internal levies, thereby violating the rights of colonists as Englishmen. As they were not represented in Parliament, the duty would be "an infringement of the rights, privileges, and authorities of the colonies."

These protests were considered by the Board of Trade in December 1764, and their reception was an augury of what was to come. The Board members bitterly denounced them as showing "a most indecent disrespect" for Parliament. Next, the colonial agents, headed by Franklin, gained an interview with Grenville in early February 1765. The prime minister felt that the colonies "can and ought to pay something to the public cause." To him there was "no better way than to lay such a tax." He agreed, however, that if the colonies had a better means, he would adopt it. But Franklin could only offer the requisition method, which Grenville rejected because he believed the individual colony would never agree on its own quota.

Therefore, on February 13, 1765, the Stamp Bill was introduced into Parliament. There could be no more delay because increasingly vehement protests were coming from the English people themselves, who feared that their own taxes might become heavier unless additional revenue was raised in America. And as landowners were already paying no less than 20 per cent of their incomes in taxes, it is no wonder that they demanded some relief.

The debates on the bill were not exciting. Indeed, Edmund Burke reported that he never heard more languid ones, and Horace Walpole wrote that there was "nothing of note in Parliament." Only three members of the House of Commons spoke against the measure, of whom the most prominent was Colonel Isaac Barré. He, "with Eyes darting Fire," proclaimed that Americans were "Sons of Liberty," fighting the cause of Englishmen. Yet, some of the sting was taken from his words when he admitted that "the more sensible people" in the

colonies would not deny Parliament's power to tax them. The final reading of the bill was rushed through, and on March 22, 1765, it became law; the House of Lords passed it without a division, Commons by a vote of 205 to 49.

The Stamp Act, containing 117 sections and covering sixty-six octavo pages, was to become effective on November 1, 1765, and its proceeds were to be used "toward further defraying the expences of defending, protecting, and securing" the American colonies. Stamps or stamped paper, costing from a halfpenny to £10, payable only in specie, must be used for a variety of items: newspapers, pamphlets, legal papers, mortgages, bills of lading, skins, parchments, college diplomas, almanacs, calendars, playing cards, dice, tavern licenses, and advertisements. On some of these items the tax was graduated—for example, the costlier or larger the almanac, the heavier the stamp tax. Certain items were exempted, such as religious publications, schoolbooks, assembly proceedings, marriage certificates, and bills of exchange. One provision of the act was calculated to check speculation in land.

Administration of the act was placed in the hands of the commissioners of stamp duties in Great Britain, who were to operate through special stamp distributors in each colony. As under the Sugar Act, heavy fines and forfeitures were provided for infringement, and penalties were to be equally divided among the informant, the governor, and the British Treasury. Litigation might take place in "any court of record or in any court of admiralty." Grenville expected the taxes to be easily collectible because they were not hidden, the burden was not heavy (the total annual yield would be around £60,000, or about one shilling per colonial inhabitant), and the distributors were to be colonists.

In spite of the protests raised against the stamp proposal prior to its passage, Grenville and many other Englishmen anticipated no great colonial opposition, nor for that matter did some Americans. Franklin, for instance, had several relatives and friends named as stamp distributors, and Richard Henry Lee applied for a similar post. James Otis felt it was "our duty to submit" to the act, and Governor James Fitch of Connecticut voiced a like view.

The Colonial Storm. The calm was soon broken, however, by a storm of protest that engulfed the colonies. The academic question of the right of Parliament to tax America now became a matter of practical political debate in which many participated. Such issues as charter rights, the rights of Englishmen, actual as opposed to virtual representation, and the natural rights of man were brought forward in the wide range of discussion that gradually spread throughout the colonies. An important reason for this widespread interest was that the Stamp Act directly affected the average colonist, who at some time must buy the stamps that had to be placed on so many articles of normal use.

Especially hard hit, however, were the lawyers, printer-editors, merchants, and shippers, who assumed leadership in the attack. Their vocal protests were more far-reaching than their numbers would indicate because their influence was so strong among the rank and file. By the late spring of 1765, or roughly

six months before the act was to become effective, the rumbling storm of protest was loud and growing steadily in volume. Specific charges were being made against the act: Parliament had no right to tax the colonies directly—that was the function of the local assemblies; it would be a further deterrent to trade because of the many taxes levied on shipping papers; payment in specie would mean an additional drain of that already scarce medium; the troops to be supported by stamp proceeds would be used to help enforce this and other Parliamentary measures, not to defend the colonies as Parliament asserted; and infringements of the law might be tried in vice-admiralty courts, over which the colonies had no jurisdiction and which operated without juries—another blow at their rights as Englishmen.

The Henry Resolutions. One of the first publicized protests occurred in Virginia, where on May 29, 1765, the House of Burgesses began consideration of the Stamp Act. A group of young radicals, headed by the recently elected Patrick Henry, decided that now was the opportunity to win local prestige. According to an account written by a Frenchman who was present:

I went immediately to the assembly which was seting, where I was entertained with very strong Debates Concerning Dutys that the parlement wants to lay on the american colonys, which they Call or Stile stamp Dutys. Shortly after I Came in one of the members stood up and said he had read that in former times tarquin and Julius had their Brutus, Charles had his Cromwell, and he Did not Doubt but some good american would stand up, in favour of his Country, but (says he) in a more moderate manner, and was going to Continue, when the speaker of the house rose and Said, he, the last that stood up had spoke treason, and was sorey to see that not one of the members of the house was loyal Enough to stop him before he had gone so far, upon which the Same member stood up again (his name is henry) and said that if he had afronted the speaker, or the house, he was ready to ask pardon, and he would shew his loyalty to his majesty King G. the third, at the Expence of the last drop of his blood, but what he had said must be attributed to the Interest of his Countrys Dying liberty....⁹

Following this speech by Patrick Henry, which has come down through the generations in more patriotic form, the young Virginian then introduced seven resolutions: (1) that from the beginning of permanent English settlement the Americans were entitled to “all the liberties, franchises, and immunities . . . enjoyed . . . by the people of Great Britain”; (2) that two charters from James I had upheld this contention; (3) “that the taxation of the people by themselves, or by persons chosen to represent them . . . is the only security against a burthen-some taxation”; (4) that from the outset the colonists “have without interruption enjoyed the inestimable right of being governed by such laws as are derived from their own consent, with the approbation of their sovereign”; (5) that, therefore, the House of Burgesses has “the only and sole exclusive right and power to lay taxes” upon Virginians, and any effort to grant such power to any other agency “has a manifest tendency to destroy British as well as American

⁹ Robert Meade, *Patrick Henry: Patriot in the Making* (1957), questions the Frenchman's story.

freedom"; (6) that Virginians "are not bound to yield obedience to any law . . . designed to impose any taxation whatsoever upon them" not passed by the Burgesses; and (7) that anyone denying the previous resolution "shall be deemed an enemy to his Majesty's Colony."

The following day Henry and his supporters were able to force through the House only the first five of these resolutions, and by the closest of votes, and were subsequently to see the fifth removed from the records by their spirited opponents. The theories expressed in those resolutions, however, indicated the growth of opposition to Parliamentary taxation and the appearance of the new point of view that was so rapidly spreading. Virginia antagonism toward the Stamp Act was accentuated by what were primarily local grievances. Many of the planters were interested in obtaining Western lands, an activity that the act might thwart. In addition, the heavy stamp taxes on legal documents involved in land purchases would be a deterrent to such speculation. The planters were also concerned about the effect on their export trade, which then amounted to one hundred million pounds in tobacco alone.

The spirit of opposition thus expressed in Virginia helped to ignite the spark elsewhere, for all seven Henry resolutions were quickly sent to the other colonies, where they were published in local newspapers or more widely circulated by handbills and broadsides. One New York City broadside contained the added comment that the Stamp Act was "the folly of England and the ruin of America." Governor Francis Bernard of Massachusetts regarded the resolutions as "an alarum bell to the disaffected," and everywhere people were thrown into "a veritable frenzy."

Thus encouraged by mounting support, the merchants, lawyers, printers, and shippers became more vehement in their protests. The clergy likewise came forward against the act with "almost one voice." They all played up the fundamental question of imperialism—whether Parliament had the right to legislate for a people three thousand miles away. They stressed the depression, and how the increased burden of the Stamp Act would add to their economic plight. They emphasized the adverse effect of recent commercial regulations. These arguments appealed to other classes, especially to small shopkeepers, artisans, and mechanics of seaboard communities, whose backing was needed by the comparatively small leading groups. Even more influential in gaining general support were the promises made to the lower classes: they would soon be given the franchise, they would receive wage increases, and they would be admitted to social equality with the upper classes.

The Sons of Liberty. By the summer of 1765 "extraordinary unanimity of speech and actions" and "concerted understandings" grew up throughout the colonies. Gradually, however, radicals everywhere assumed the leadership of the opposition previously held by conservatives. Under such men as Isaac Sears in Connecticut and New York, there began to appear organizations known as Sons of Liberty, a title derived from Barre's reference in his speech against the Stamp Act. First developing in western Connecticut, this movement spread

TH E LIEUTENANT GOVERNOR declares he will do nothing in Relation to the STAMPS, but leave it to Sir HENRY MOORE, to do as i.e pleases, on his Arrival. Council Chamber, New-York, Nov. 2, 1765.

By Order of his Honour,
Gw. Banyar, D. Cl. Con.

The Governor acquainted Judge *Livingston*, the Mayor, Mr. *Beverly Robinson*, and Mr. *John Stevens*, this Morning, being Monday the 4th of November, that he would not issue, nor suffer to be issued, any of the STAMPS now in Fort-George.

Robert R. Livingston.

John Cruger,
Beverly Robinson,
John Stevens.

The Freemen, Freeholders, and Inhabitants of this City, being satisfied that the STAMPS are not to be issued, are determined to keep the Peace of the City, at all Events, except they should have other Cause of Complaint.

Broadside concerning the Stamp Act. (Courtesy of The New-York Historical Society, New York City)

to the other colonies. Sometimes, the local Sons were formally organized; in other cases, the members met only when need warranted. There were open meetings, and secret ones. One writer has said that the membership "waxed or waned as occasion required." In the towns the membership generally consisted of small tradesmen, mechanics, common seamen, and the unemployed; in the rural districts it was the small farmers. But wherever they lived, they were normally the disfranchised and the debtors, who saw in the movement more than simply a struggle against Parliamentary regulation and taxation. To them it was an opportunity as well to obtain more rights and privileges in their own colony. In the North the leadership was in the hands of the lesser lawyers, editors, and merchants, or the dissenting clergy, who opposed the pretended superiority of the Church of England. In the South the spokesmen were the large landowners or planters, men willing to use the rank and file to their own advantage.

These Sons of Liberty were not long content to voice their protests; they

desired force to accomplish their objectives. Mob action was the answer, and before the fatal November 1 it had compelled the resignation of many of the colonial stamp distributors. Sometimes, merely a written warning would suffice to accomplish this. In other instances, a gathered mob would force the distributor to flee the province, or the threat of a liberal coating of tar and feathers would make him resign and depart. In Boston, however, Andrew Oliver proved adamant until a mob literally pulled his house to pieces and used the lumber for a gigantic bonfire. Next, it hanged in effigy the stubborn distributor. When Lieutenant-Governor Thomas Hutchinson stood up for Oliver, the angry populace destroyed his house too, along with its valuable library and manuscripts. Similar events occurred in New York City and Wilmington and Brunswick, North Carolina. In the latter port there was the largest show of "armed force" against the Stamp Act in the South.¹⁰

Encouraged by their victories over stamp distributors, the mobs got increasingly out of hand. It was not unusual for the members to engage in a series of window-breakings, parades, and torchlight processions, with the accompanying damage and uproar measured by the amount of wine and rum consumed by the participants. Liberty poles were erected, and liberty trees planted to commemorate the new-found power. When royal troops attempted to cut down these symbols, the Sons rallied in defense, with cracked heads and bloodied noses the results.

The embarrassed upper classes gradually withdrew their support and returned to more orderly and formal methods of combatting the act. The Sons of Liberty, however, despite the mob actions in which many of them engaged, did help to promote an intercolonial feeling of unity. As one authority has written, "they, for the first time, found a general issue on which they could combine into a semblance of intercolonial opposition under a common name."

The Stamp Act Congress. Meantime, the original protestants were considering another method of uniting the colonies. On June 8, 1765, James Otis moved in the Massachusetts General Assembly that delegates from the several colonies meet in New York City the following October "to consult together on the recent circumstances of the colonies and to draw up a united, dutiful, loyal and humble representation" to the king and Parliament against the expected oppression of the Stamp Act. The Assembly approved, and a circular letter was sent to the other colonies. At first, there was considerable hesitancy. New Jersey, for instance, went on record "unanimously against uniting on the present occasion." Gradually, however, the tide changed, aided in no small part by the widespread publication of the Virginia Resolutions, which General Thomas Gage called the signal for a general outcry throughout the continent. The legislatures of nine colonies selected a total of twenty-seven delegates to attend the New York session. The exceptions were New Hampshire, Virginia, North Caro-

¹⁰ Edmund S. and Helen M. Morgan, *The Stamp Act Crisis: Prologue to Revolution* (1953), gives the latest and fullest account of the various aspects of colonial opposition to the Stamp Act.

lina, and Georgia, whose assemblies were prevented by their governors from selecting representatives, an action John Adams called "ministerial monkery." Despite their absence, these four assemblies wrote "that they would agree to whatever was done by the congress."

The Stamp Act Congress, meeting in New York City from October 7 to 24, was a different type of organization from the Sons of Liberty. It was composed chiefly of conservatives, and included some of the best colonial minds. Its importance lies in the fact that it was initiated by the colonists themselves; unlike the earlier Albany Congress, it was not called by a royal agency. Thus, it was a source of concern to the British government, which had long believed that the best means of controlling the colonies was by keeping them disunited. Yet, here was a meeting held without British authority, with every evidence that the colonies were joining against "a common calamity of oppression." The *London Magazine* of November 1765 contained a letter from an Englishman stating that the Americans were considering that "they must unite in their own defence. They accordingly cry out for union."

There was not unanimity at the sessions. The conservative majority favored asserting colonial rights and privileges, but opposed attacking the prerogatives of the king or the rights of Parliament. The radical minority wanted to disregard entirely any mention of the hated Parliament. After long debate, the delegates finally approved a Declaration of Rights and Grievances, which, while affirming loyalty to king and "all due subordination to Parliament," insisted that the colonists were entitled to all the rights of Englishmen. Foremost was the right to be taxed only by themselves or their representatives. Because, they were not represented in Parliament, and distance made it impractical that they should be, their own legislatures were their only taxing agencies. Consequently, the Stamp Act and certain other recent measures affecting colonial trade ran counter to colonial rights and should be repealed. A petition, couched in humble and loyal terms, was sent to the king, seeking relief from the statutes in question. Finally, a memorial was addressed to both Houses of Parliament urging repeal of the hated laws. Little that was new found its way into any of the statements made in these documents. Their significance lies in the fact that colonial rights were now being advocated by a general congress. It is true there was opposition among the delegates to what had been done at this meeting—some walked out, and others refused to sign—but the majority did approve of what the colonists were more strongly insisting to be their inalienable rights.

Economic Sanctions. Not content with mere resolutions, the colonists resorted to economic pressure. The use of the boycott was more or less accidental in the beginning. The colonies were experiencing a depression and thus could not buy as many British goods as in the past. Therefore, they substituted, among other things, sage for imported tea and homespun for English textiles. As exports to the colonies slowly declined, English manufacturers, merchants, and shippers voiced complaint. Gradually, the colonists realized that they might

have another string to their bow against the Stamp Act. New York's Society for the Promotion of Arts, Agriculture, and Oeconomy was broadened in scope, and other colonies established similar organizations. As a result, fourteen new manufacturing plants were set up in America during the remainder of the year. Women formed clubs to encourage spinning and weaving in the home, and it was said that a homespun dress or suit, "when made the distinction of real patriotism, is more honorable than all the pageantry, and the robes and plumes and the diadem of an emperor without it." A campaign of austerity swept throughout America that helped to cut imports from England by at least £600,000 in 1765 alone.

A more formal step was taken four days before the Stamp Act was to take effect, when some two hundred New York City merchants pledged themselves not to buy any British goods until the Act was repealed and the Sugar Act modified. A week later four hundred Philadelphians followed with a similar agreement, as did Bostonians and inhabitants of other New England towns.

Consequently, on November 1, 1765, the colonists were well prepared to combat the Stamp Act. They had issued resolutions, petitions, and memorials proclaiming their rights as Englishmen and denying the right of Parliament to levy internal taxes. They had organized Sons of Liberty, who had employed force and intimidation against agents of the crown, thereby compelling most of the stamp distributors to resign or flee before the fatal date. The Stamp Act Congress had indicated in another way the growing sense of union in opposition to Parliamentary legislation. And, finally, many had banded together, formally and otherwise, in nonimportation agreements.

The Stamp Act Fails. November 1 was a day of mourning in the colonies, where it was felt that American liberties were dead. Flags were flown at half-staff to symbolize the demise. Thanks to united opposition, very few stamps or stamped paper were sold. Legally, no ships could be loaded or leave port without stamped clearances, no newspapers or pamphlets could be printed, taverns could not operate, land could not be sold, courts could not open. Actually, however, the colonists went about their everyday affairs practically as usual, paying little attention to the obnoxious law. British officials, understanding the temper of the people, made few efforts at enforcement, showing a "total Languor, and Want of Energy." Common cause was cementing more closely the industrial areas of the North with the agricultural South.

Here and there disturbances broke out. In New York City, for example, Lieutenant-Governor Cadwallader Colden ordered Major Thomas James of the Royal Artillery to "cram the Stamps down their Throats." A swiftly gathered mob proved so menacing, however, that the officials were powerless. They had to stand idly by while the irate populace destroyed Colden's coach, hanged the Lieutenant-Governor in effigy, and damaged much of the major's personal property. Order was restored only after Colden yielded to the extent of allowing the stamps to be placed under the guardianship of the people's representatives.

Such actions and the passive resistance to the law caused a French traveler to write, "It is certain that this act has changed the disposition of America toward Great Britain."

American opposition, particularly the nonimportation agreements, soon made itself felt in England. Thousands of workers lost their jobs as their employers were faced with countermanded orders from the colonies. Merchants could not collect their debts, which, in five major cities alone, amounted to nearly five million pounds. Bills of exchange were returned from America protested. Newspapers printed more and more letters and articles blaming current economic troubles on the Stamp Act, and the cries for repeal increased. Five major arguments were advanced: (1) the act was hurting English trade; (2) it was antagonizing the colonies, which were becoming so strong that English coercion could not be continued indefinitely; (3) England was making adequate profit from the colonial trade without the Stamp Act; (4) the requisition system might be substituted; and (5) a standing army was not needed in America. Parliament was flooded with petitions urging repeal. Noteworthy was that from the London merchants citing the ill effects and seeking relief "to preserve the strength of this nation entire, its commerce flourishing, the revenue increasing, . . . and the colonies . . . firmly attached to the mother country." So critical was the situation that Horace Walpole remarked, "A nod from the ministers would have let loose all the manufacturers of Bristol, Liverpool, Manchester, and such populous and discontented towns who threatened to send hosts to Westminster to back their demand for repeal."

Repeal of the Stamp Act. Even George III, in the face of the turmoil in America and the growing opposition at home, favored modification of the Stamp Act. Failing that, he "thought the Repealing infinitely more eligible than Enforcing, which could only tend to widen the breach between this Country & America." Grenville was not in office when the storm broke. In July 1765 the king, tired of his prime minister's efforts at economy, his attempts to destroy the influence of Lord Bute, his constant lectures, and, most of all, his opposition to the appointment of the queen mother as a possible regent, called upon the young and inexperienced Lord Rockingham to form a new ministry. Thus, it became the responsibility of Rockingham to end the crisis.

Repeal seemed the only solution. With Pitt leading the fight, the House of Commons voted 250 to 112 in favor of rescinding the act on March 4, 1766, with the king's supporters, on instructions from the throne, on the affirmative side. When the results were announced, "there arose an involuntary burst of gratitude and transport." On March 17 the House of Lords also acted favorably, and the king signed the repeal measure the next day. At the same time, the molasses duty under the Sugar Act was reduced to one penny a gallon.

Throughout England there was rejoicing. In true holiday spirit, celebrations, bonfires, ringing of bells followed the glad news. Members of Parliament who had voted for repeal were rewarded by their constituents with "freedom of the city," because their action had "saved England from ruin." The government,

on the other hand, tried to appear the savior. Its desire to help English shippers and merchants with trade concessions, it said, was the major reason for its action; the tumult in the colonies and the uneconomic features of the law had nothing to do with it.¹¹

The colonies were also jubilant. Firing of cannon, fireworks, drinking bouts, dinners, and other festivities welcomed the "Joyous News just received." Hundreds of sermons were dedicated to the occasion. Several towns collected funds to erect statues to George III and William Pitt, the two men believed chiefly responsible for repeal. Colonies quickly named new counties in honor of Pitt. The various nonimportation agreements were promptly rescinded, and trade with the mother country was restored to normal. So many American orders were placed with English firms that they could not be filled for several months. English shippers, to take care of them, had in turn to order American-built ships. Unemployment in England gradually diminished, and Americans resumed payment of their obligations to English creditors. Some of the leading colonial opponents of the Stamp Act now talked only of reconciliation with the mother country. As one minister said, "We may now be easie in our minds, contented with our condition."

The Declaratory Act. In this outburst of joy and enthusiasm, many Americans overlooked a measure Parliament passed on the same day the king signed the Stamp Act repeal. This Declaratory Act definitely refused to recognize the position the colonists had taken in the dispute over taxation. It stated:

Whereas several of the houses of representatives in his Majesty's colonies in America . . . have claimed . . . the sole and exclusive right of imposing duties and taxes upon his Majesty's subjects in the said colonies . . . be it declared . . .

That the said colonies . . . have been, are, and of right ought to be, subordinate unto, and dependent upon the imperial crown and parliament of Great Britain; and that the King's majesty . . . in parliament assembled, had, hath, and of right ought to have, full power and authority to make laws and statutes . . . to bind the colonies and people of America . . . in all cases whatsoever.

All resolutions . . . and proceedings in any of the said colonies . . . whereby the power and authority of the parliament of Great Britain, to make laws and statutes as aforesaid, is denied, are . . . declared to be utterly null and void. . . .

This measure was not new in substance, being similar to the preamble of the Navigation Act of 1651 and to the Irish Declaratory Act of 1719, which had aroused so much opposition in Ireland. Pitt and Lord Camden were the chief critics, their objections being directed against the inclusion in the measure of the right of Parliament to tax the colonies. British insistence upon colonial recognition of the theory involved in this act eventually led to a widening of

¹¹ Actually, the Stamp Act was a financial failure. Some £120,000 worth of stamps and stamped paper, costing £630 to print and distribute, had been shipped to the colonies, about evenly divided between the mainland and the islands. Yet, during the life of the act (November 1, 1765, to March 18, 1766) approximately £3,300 was collected. Most of that amount came from the West Indies.

the breach between the mother country and America. This breach might have been foreseen during the course of Franklin's examination before a House of Commons committee in February 1766. In answer to a question as to whether the colonies believed themselves outside the realm of Parliamentary control, he first replied that he thought they merely objected to internal or direct taxation by that body. Pressed further by the committee as to whether this attitude did not imply full rejection of Parliament's right to bind the colonies in all cases whatsoever, Franklin predicted:

They never have hitherto. Many arguments have been lately used here to show them that there is no difference, and that if you have no right to tax them internally, you have none to tax them externally, or make any other law to bind them. At present they do not reason so, but in time they may be convinced by these arguments.

The Quartering Act. Meantime, another Parliamentary measure passed shortly after the Stamp Act was causing colonial complaint, though overshadowed at the time by the stamp tax. Early in 1765 England had passed a new Mutiny Act, one of whose provisions authorized the sending of such troops to America as were deemed necessary. Then, when it became apparent that the Sugar Act would not produce the revenue sufficient to provide for American defense, General Thomas Gage, commander-in-chief of the royal forces in the colonies, urged Parliament to implement the Mutiny Act with a special measure for America. The response was the Quartering Act of May 1765, which provided that if local barracks were inadequate, British troops could be quartered in taverns, inns, uninhabited houses, and barns, the rent for which must be paid by the colonial authorities. Under no circumstances were the soldiers to be billeted in private homes. In addition, the colonies were to be called upon from time to time to furnish such troops "with fire, candles, vinegar, and salt, bedding, utensils for dressing their victuals, and small beer or cyder, not exceeding five pints, or half a pint of rum mixed with a quart of water, to each man...." Finally, the cost of transportation of those troops within the province over and above a specified amount must be borne by the colony.

Colonial resentment developed against the Quartering Act for a variety of reasons. Many believed the additional troops requested by Gage would be in America as enforcement agents of the hated Sugar and Stamp acts, not to protect the colonists from Indian or French attacks. Next, the colonists asserted it was contrary to British custom to maintain a large standing army in time of peace. Some likewise thought that in time an effort would be made to quarter the soldiers in private homes, another action contrary to the British constitution. The act was also opposed because of the claim that the quarters, supplies, and transportation costs were unusual and expensive, merely another means of taxing the colonies without their consent.

The first direct challenge came from the Bostonians in 1766, when a British commander sought quarters and supplies for his two artillery companies. Governor Bernard and the Massachusetts Council gave their approval, but James Otis, voicing the sentiments of the radicals, made such vehement protest, in

which he criticized the Council for "inserting Acts of Parliament into the provincial law books," that the Assembly refused its assent to the request.

More important, however, was the refusal of the New York Assembly to fulfill the demand for supplies and travel money. Because that colony was the headquarters of the British forces in America, the members of the legislature felt that resultant military requests might add an excessive financial burden to the New Yorkers. On the assumption that the Quartering Act was an unconstitutional method of taxation, the Assembly believed it was justified in its outright disobedience. To prove, however, that New York was still loyal, the members accompanied their action with a statement that they would comply with a royal requisition for supplies.

Most of the other colonies did not take the bit fully in their teeth, but they did find varied means to circumvent the Parliamentary measure. Some legislatures passed appropriations for supplies without mentioning the questionable act, others added stipulations that colonial rights must be upheld, and South Carolina, though theoretically falling in line, maintained a semblance of independence by refusing to turn over all that the troops needed. Only Pennsylvania went along completely with the Quartering Act.

The Pitt-Grafton Ministry. Meantime, English taxpayers were becoming worried. Though leading agitators for the repeal of the Stamp Act, they soon realized the possibility of increased taxes at home. When the Rockingham ministry, which they had helped put in office, failed to find a substitute for the repealed measure, and when the Sugar Act did not produce the expected income from America, there were political reverberations. George III was also displeased with the Rockingham ministry, which he regarded as a temporary expedient at best. Though personally antagonistic toward William Pitt, the king realized that Pitt's views concerning factional government were similar to his own. Consequently, George III pulled every political string to influence Pitt to return to office, and finally succeeded in August 1766.

The nominal head of the new ministry was Lord Grafton, who lacked the necessary qualifications for leadership and showed little concern about administration; the expected head was William Pitt, soon to be elevated to the peerage as the Earl of Chatham. The granting of that title was a wise move on the part of George III, because Pitt would now be in the House of Lords, where his views on the rights of Englishmen at home and abroad would be in the minority. Moreover, Pitt, hitherto regarded as the "Great Commoner" by the masses, lost the confidence and esteem of the people when he became a peer. Another prominent member of the cabinet was Lord Shelburne, who became secretary of state for the Southern Department. Like Pitt, he was considered a friend of the colonies. The other outstanding figure was Charles Townshend, chancellor of the exchequer. Popularly referred to as "Champagne Charlie," he was at times brilliant, few could compare with him as a debater, and even Burke, who disliked him, had to admit he was an "extraordinary man. The rest of the cabinet, a coalition one, consisted of nonentities. This group was described by Burke as

"a piece of diversified mosaic, patriots and courtiers, king's friends and republicans, Whigs and Tories, treacherous friends and open enemies; so that it was a curious show, but utterly unsafe to touch or stand on."

This "mosaic ministry" was formed primarily to deal with domestic affairs, for, with repeal of the Stamp Act, many Englishmen believed the troubles in America were over. This might have been the case had Pitt retained his health, but he soon had a recurrence of gout that incapacitated him. Thereupon, he went into virtual retirement, refusing to see his friends or to make any political decisions. Lord Grafton lacked the ability to keep the coalition together as a smooth-working unit. Shelburne might have averted trouble with the colonies had he been more alert or had he spent more time working on the American problem as a whole instead of concentrating on the future of the West. Consequently, Townshend was able to assume the practical leadership of the "mosaic ministry." Unfortunately for England and the Empire, his views concerning America were closer to those of Grenville than of Chatham, and his resulting attempts to employ coercion rather than conciliation reopened the whole issue of the relationship of the colonies to Parliament and to the empire. What happened thereafter was to prove disastrous to the imperial cause.

THE BREACH WIDENS

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When the illness of Lord Chatham and the persistence of George Grenville again brought the American issue to the fore, more Parliamentary legislation was passed to which the colonists took exception, such as the Townshend Acts, the Tea Act, and the measures that answered the Boston Tea Party—the Coercive Acts. The calm established by the repeal of the Stamp Act was broken by more vehement storms of colonial protest, which grew ever more violent and brought separation from England much closer to reality.

The Townshend Acts. As chancellor of the exchequer, Charles Townshend was responsible for the delicate task of preparing the budget for 1767. One of the first items considered was the army estimates. While they were being debated, George Grenville, still a firm believer in the theory that the colonies should help pay their way, insisted that America contribute at least part of the £400,000 allocated in the proposed budget for its defense. On his own responsibility, and without even consulting the rest of the cabinet, Townshend assured Grenville and his cohorts that he could raise money in the colonies without antagonizing the Americans. As the chancellor did not pursue the issue further at the time, Grenville forced his hand by speeding through Parliament a measure to lower the tax on land in England from four to three shillings in the pound. The anticipated decline in revenue from the real estate tax threw Townshend's initial budget estimates out of balance, thereby forcing him to try to make good his promise about raising money in America.

In April 1767 he announced that America should be placed in the same category as Ireland. In consequence, he strongly favored the principle of the Declaratory Act, ridiculing the idea that there was any valid distinction between Parliament's right to tax the colonies directly or indirectly. Because America had objected so strongly to the former, however, he decided to revert to indirect taxation as the means for making the colonies more nearly self-supporting.

By May, Townshend had three major proposals ready. The first was designed to raise additional revenues in America through new customs duties. Under the second proposition, the receipts so derived would be used to pay the salaries of colonial civil officials. The third proposal contemplated rigid enforcement of the new duties by a board of customs commissioners in America.

Except for the Pittites, the Townshend plans were well received in Parlia-

ment. The Grenvillites applauded them because the principles of the Declaratory Act would be upheld. Office seekers lauded them because of the many new posts that would become available. Those interested in more centralized government praised them because royal officials in America would be freed from colonial control, and this would lead the way to reorganization of all colonial governments. Finally, English taxpayers foresaw a further lightening of their own financial burdens.

Encouraged by this widespread approval, the chancellor introduced the first of the so-called Townshend Acts (passed June 15, 1767), which provided for the suspension of the New York Assembly until it complied fully with the Quartering Act. Two weeks later Parliamentary approval was also given to the bill establishing an American board of customs commissioners, answerable to the Lords of the Treasury instead of to the English customs commissioners. The headquarters of the five new commissioners was to be at Boston, and their authority extended from Davis Straits to the Florida capes, including both the Bahamas and Bermuda. The initial function of this board was to reorganize the whole American customs service: increase the number of lesser officers (most of whom were Englishmen), enlarge the revenue cutter service under command of naval officers, establish an improved system of intelligence, and introduce more efficient business methods.

The most controversial measure was the Duty or Revenue Act, passed on June 29, 1767, to become effective the following November 20. Its purpose was stated in the preamble:

Whereas it is expedient that a revenue should be raised, in your Majesty's dominions in America, for making more certain and adequate provision for defraying the charge of the administration of justice, and the support of civil government, in such provinces where it shall be found necessary; and towards further defraying the expences of defending, protecting, and securing, the said dominions; we . . . have therefore resolved to give and grant unto your Majesty the several rates and duties herein after mentioned. . . .

Those duties, expected to produce some £40,000 annually, were levied on glass, lead, painters' colors, paper, and tea—on the last it was 3d. a pound. As the proceeds were primarily to pay the salaries of governors, judges, and other royal officials, this meant an innovation for America—a civil list. All violators of the act must be tried in admiralty courts. To help the reorganized customs service enforce this Duty Act, writs of assistance were specifically legalized.

When America learned about these new measures, the calm established by the repeal of the Stamp Act was quickly broken. For the first time, the colonists were made aware of the implications of the Declaratory Act. They began once again to discuss their position within the empire, and in more heated fashion than before. New issues were now raised to punctuate a mounting demand for intercolonial union, a movement accentuated by the fact that these laws were applicable to all colonies alike. One of the most important issues involved the power or right of Parliament to suspend a colonial assembly. Hitherto this had

been done only by a colonial governor. Were suspension by Parliament countenanced, who could tell when the remaining representative governments in America would be destroyed, perhaps permanently? Moreover, with colonial denunciation of the Declaratory Act, what agencies could then pass laws in New York?

The second important issue related to the Duty Act. Here was an instance of Parliament's levying external taxes not to regulate trade, as it had frequently done prior to 1763, but to raise revenue. Taxes imposed by Parliament for the latter purpose were definitely opposed in America. There were numerous other arguments raised against the Townshend Acts. The purpose for which the revenue would be used was denounced. The colonists had worked hard and long to bring the governors and judges under control of the people's representatives, but payment of salaries by this new means would release them from dependence on the colonial purse. The troops to be supported by any residue were considered, as in the case of the Stamp Act, not as protectors, but as enforcers of obnoxious Parliamentary laws, an argument bolstered by the fact that the troops were located along the seaboard, not in the interior. The provision for writs of assistance revived the earlier controversy over whether a man's home was his castle. The increase in the number of customs collectors and naval officers would add to the American financial burden, and their enlarged powers would further restrict colonial trade. And the centralized admiralty courts, acting without juries, conflicted with colonial views of their rights as Englishmen.

Despite the widespread animosity toward the Townshend Acts, there was a notable lack of unity in the beginning as to how to defy those measures. In each colony there was fear that if it took too forward a step, the other provinces would not follow and it would be made the scapegoat. Moreover, the merchants, who had led the opposition against the Stamp Act, were not concerned about the Duty Act because they could pass the tariff levies on to the consumers. They were worried, however, about the establishment of customs commissioners in America, a matter that in turn did not directly affect the average colonist.

New Yorkers naturally objected most strenuously to the suspension of their Assembly, which was to become effective in October 1767. Even the local radicals did not know how much outside support they would receive if they continued to refuse to vote funds for the British troops. They were sure, however, that England would enforce the Suspending Act. Therefore, the Assembly, in the summer of 1767, appropriated £1500 for the soldiers without stipulating how the money should be spent, thus making it appear that the sum was voted in the form of a free gift, not the result of the Quartering Act. The ministry, realizing it had stirred up a hornets' nest, accepted this appropriation as New York's acquiescence, and the contemplated suspension was lifted. Grenville voiced his protest, saying that if England allowed the colonies to evade her laws in this fashion, she would soon learn that she had no real authority in America. Yet, the fact that New York gave in and that the other colonies were thinking primarily of themselves was an indication of the absence of American unity.

The Farmer's Letters. The first sign of a change came from the pen of John Dickinson, a wealthy farmer and lawyer who had received his legal training in England. Primarily a conservative man, Dickinson nevertheless found the recent laws a dangerous innovation, detrimental to the "sacred cause" of liberty. In a series of articles, the "Letters from a Farmer in Pennsylvania," the first of which appeared in December 1767, he argued, sometimes inconsistently and in contradictory fashion, that acts of Parliament to raise revenue in America were unconstitutional. Dickinson challenged the Declaratory Act by asserting that Parliament had no right to tax the colonies directly or indirectly. If it did have the authority to tax American imports, it could also tax any colonial commodity England did not wish manufactured in the colonies, thereby completing the "tragedy of American liberty." The "Pennsylvania Farmer" attacked the breadth of the Townshend Acts, which included in their scope both Canada and the Floridas, because the thirteen older colonies would "be drained of the rewards of their labor, to cherish the scorching sands of Florida and the icy rocks of Canada and Nova Scotia, which will never return to us one farthing that we send them." The suspension of the New York Assembly was not only a "violation of the liberty" of that colony, but "of all these colonies," for "the cause of one is the cause of all." Therefore, concluded Dickinson, these measures were unjust, un-English, and dangerous to colonial well-being. To combat them, the colonies should be "firmly bound together" and "form one body politic." So persuasive were these letters that they were published in virtually all the colonial newspapers and did much to shape public opinion against the Townshend measures.

The Massachusetts Circular Letter. The first official action against these laws came from the Massachusetts House of Representatives. In January 1768 addresses of protest were sent to several members of the ministry, along with a petition to the king. The following month Samuel Adams was largely responsible for drafting the so-called Massachusetts Circular Letter, which was forwarded to the other colonial legislatures. The main points in this letter of February 11 were that it was dangerous to popular government to have the salaries of colonial governors and judges paid by the English government, and that "imposing Duties on the People of this province, with the sole & express purpose of raising a Revenue, are Infringements of their natural & constitutional Rights," because the colonies were not represented in Parliament and it was not feasible that they should be. Although this letter sought intercolonial support against the Townshend Acts, it ended with the statement:

This House cannot conclude, without expressing their firm Confidence in the King our common head & Father, that the united & dutifull Supplications of his distressed American Subjects will meet with his Royal and favorable Acceptance.

This letter, submitted to the cabinet by Lord Hillsborough, secretary of state for the colonies, on April 15, 1768, provoked immediate anger. Hillsborough

wrote to all the colonial governors, urging them to prevent their respective assemblies from supporting the effort of Massachusetts "to promote unwarrantable combinations" against Parliament. On the contrary, the letter should be treated "with the contempt it deserves." A special note was sent to Governor Francis Bernard, ordering him to have the Massachusetts Assembly rescind what practically amounted to an act of defiance. When the House, by the overwhelming vote of ninety-two to seventeen, refused to do so, it was dissolved by the governor. James Otis was particularly bitter, saying, "Let Britain rescind her measures, or the colonies are lost forever."

The failure to rescind the Circular Letter brought retaliation from England. The incensed king asserted that it was an indication of the colony's desire to achieve independence by trying to promote "repugnant combinations" against the crown. The House of Lords asserted that the Massachusetts officials were doing nothing to prevent local riots, that the resolutions of the Boston town meeting were illegal, and that the attempts to promote a colonial convention were both a "daring insult" to the crown and "audacious usurpations of the powers of government." As a further means of showing America that supremacy of king and Parliament must be upheld, the Lords advocated extending the provisions of the Treason Act of Henry VIII to the colonies, which meant that persons suspected of treason might be sent to England for trial, and sending two additional regiments to Boston. Early in 1769 the Commons overwhelmingly endorsed these proposals. Thus, the ministry had the unqualified support of Parliament if it wished to deal harshly with the colonies.

Colonial Economic Opposition. English threats of reprisal had little effect in America. Instead, a greater feeling of accord developed in the colonies. Contributing to this unity were the letters of Dickinson and the Massachusetts Assembly, which paved the way for widespread opposition to the Townshend Acts, but the move that was eventually to accomplish the objective was initiated by the Boston public in the fall of 1767. Through their town meetings, the inhabitants began to protest the hard times they blamed on the Townshend Acts. They bemoaned the 'alarming scarcity of money,' the rapid decline of trade, the "deluge of bankruptcies," and the mounting cost of living. Efforts were made to promote home manufacturing, especially of linen and paper. Housewives were exhorted to stop serving tea in their homes, not only as a money-saving device, but to end the "tremblings, apoplexies, and consumptions" that tea-drinking produced. There was widespread local support for the program of austerity, and the movement spread to communities in Connecticut and Rhode Island as well. Outside of New England, however, there was little interest at the time.

This type of opposition, localized as it was, made little impression on Parliament, English merchants, or those colonists concerned in trying to work out a compromise with the mother country. The next step was directed toward compelling England to repeal the Townshend Acts. Encouraged by the enthusiastic

reception given to the "Farmer's Letters," which indicated the possibility of cooperation, the Boston merchants adopted an agreement in March 1768 under which they would not import any English goods for one year if New Yorkers and Philadelphians would follow suit. The New Yorkers concurred in April, but Philadelphia, where Joseph Galloway and other powerful conservatives were actively seeking conciliation, was reluctant, and the proposed nonimport league did not materialize.

Boston thereupon decided to act alone if need be. On August 1, 1768, the nonimportation agreement was approved. No more goods were to be imported from England for the rest of the year, and with but few exceptions, none during 1769, nor were any English goods to be procured from any other colony. After January 1, 1769, none of the commodities taxed under the Townshend Duty Act were to be imported until that measure was repealed. The Bostonians also agreed "to promote industry, frugality, and economy, and to discourage luxury, and every kind of extravagance." The New York merchants signed a similar agreement on August 27, with the additional proviso that they would not buy or sell commodities imported contrary to the agreement. Those who had been engaged in smuggling said they would not buy goods from either Holland or Hamburg. Not until March 1769 did the Philadelphians fall into line; they had been held back by Quakers and other conservatives who wanted to wait until they learned the reaction of Parliament to colonial petitions for redress. So loud was the denunciation of these "selfish, dastardly merchants" in the local press that the remaining retailers finally decided to proceed without them.

In the South there was little interest in a nonimportation movement until news arrived of the punitive action against Massachusetts because of her failure to rescind the Circular Letter. Then the feeling grew that the cause of Boston was the concern of all. Under the leadership of the hitherto reluctant Virginia, the decision was reached to combat more effectively the recent Parliamentary laws and to support Massachusetts. The Virginia Resolves of May 1769 averred that Virginians could be taxed only by their own representatives, that the trial of Americans in England violated British rights, that they had the right to petition the king, and that it was "lawful and expedient" for the colony to unite with other provinces against unconstitutional actions of Parliament. Copies of these resolves were sent to other legislatures, "requesting their concurrence therein."

Lord Botetourt, the first resident governor for many years and a sensible man with pleasing personality, who seemed originally friendly toward the colonial cause, nevertheless dissolved the House of Burgesses for its insolence. Thereupon, the leaders of that body, among them Washington, Peyton Randolph, Patrick Henry, Thomas Jefferson, and Richard Henry Lee, called the members into special convention, independent of Botetourt's sanction, and a nonimportation agreement written by George Mason was endorsed. Under this pact, no dutiable goods were to be used except cheap paper, no luxuries imported, and no slaves brought into Virginia after November 1, 1769. Practically all the planters of the colony subsequently signed this agreement, but few of the mer-

chants. It was this Virginia pact that obtained general approval in the rest of the South. Thus the Massachusetts *Gazette* of November 13, 1769, could print:

The whole continent from New England to Georgia seems firmly fixed: like a strong, well-constructed arch, the more weight there is laid upon it the firmer it stands; and thus with Americans, the more we are loaded, the more we are united.

Enforcing Nonimportation. Enforcement of these pacts varied. There were constant reports everywhere of merchants selling at exorbitant prices "old moth-eaten clothes" that had been lying on their shelves for years. Many merchants also defied the rules by importing, much to the chagrin of those who abided by the agreements. John Hancock was accused of making a fortune by secretly bringing in contraband. In the South a scattered population and the general mercantile opposition made enforcement difficult. Even George Washington did not always live up to the agreements he had helped to draft.

On the other hand, the rule-abiding merchants of the North were anxious to enforce nonimportation. They held frequent meetings to try to effect a boycott of the nonconformers. A typical handbill they had printed stated that violators "deserve to be driven to the obscurity from which they originated, and to the Hole of the Pit from whence they were digged." Mechanics and unskilled workers were perhaps the most vociferous supporters of nonimportation. With revived Sons of Liberty, they did not hesitate to threaten violators with personal injury. If that did not work, mobs gathered to compel the errant ones to promise publicly to mend their ways. A liberty pole or liberty tree was usually the scene of this humbling action.

Adding to the bitterness was a feud between the newly appointed customs commissioners and the colonial shippers. The officials, anxious to show their authority, began to adhere to the letter of the law instead of following the customary practice concerning the posting of bonds, that is, allowing a shipowner to furnish bond just before sailing. John Hancock became the particular victim when his sloop *Liberty* was seized because he had not given bond before loading. This unexpected and obviously unfair show of authority aroused the Bostonians to such a furor that the frightened commissioners asserted that the city was virtually in rebellion and that only royal troops could restore proper order.

James Otis resorted to the press to spread violent tirades against customs officials and augmented these articles with vocal arguments. As a result of one bitter denunciation, he was physically attacked by a commissioner, who seriously wounded him with a sword. Thereafter Otis was never the same, for the blow probably contributed to his subsequent insanity. In Providence a mob tarred and feathered an official who insisted on enforcing the customs laws. The Sons of Liberty were behind a raid that destroyed a revenue cutter off nearby Newport. Later, in Boston an irate group dragged another customs officer from his home, and the frightened official fired on his attackers, killing a young boy. A jury, defying the judge's instructions, found the official guilty of murder, but he was not executed. Then, Samuel Adams, master organizer of the city's lawless mob

element, gathered a throng of "wharf rats" to participate in the funeral of the slain youth. Naturally, such a demonstration did nothing to calm ruffled spirits.

The presence of royal troops in America only accentuated the problem. In New York City such soldiers were constantly endeavoring to cut down the liberty pole. If they succeeded, another would mysteriously be erected in its place. Or a mob would gather to defend this symbol of liberty. In January 1770 the two hostile groups came to blows in what is known as the Battle of Golden Hill, during the course of which "a number of people [were] wounded, several soldiers bruised, and one badly hurt."

The Boston Massacre. Much more publicized was a similar event in Boston. There the inhabitants refused, largely at the instigation of Samuel Adams and his radical cohorts, to provide barracks for the two new regiments sent in 1768 as a result of the colony's failure to withdraw the Circular Letter. The Bostonians insisted that Castle William was large enough to hold them. Despite General Thomas Gage's protests about this defiance of the Quartering Act, the soldiers had to find lodgings in high-rental buildings.

During the first year and a half there were no serious incidents, but there was simmering resentment on both sides. The local press maintained running criticism of the "Red Coats" or "Lobster Backs," who were booed when they marched in the streets; when the soldiers walked in two's or three's, the mobs became a little more confident and pelted them from a distance with rotten eggs, snowballs, or oyster shells—and then ran. The troops, on the other hand, irritated the civilians by staging horse races on the Sabbath, playing "popular" airs loudly during church services, and mounting cannon to command the meeting place of the General Court.

The culmination of this mutual ill-feeling was the so-called Boston Massacre of March 5, 1770. It began innocently enough as a snowball fight, but when tempers flared, two soldiers were attacked and beaten by a mob. Then the church bells rang to bring a larger crowd to the scene—a crowd getting out of hand. Captain Thomas Preston, officer of the day, led a thirteen-man platoon to the aid of the beaten soldiers, much to the resentment of the restless mob, which resorted to taunts, snowballs, and finally sticks and stones to show its animosity. The troops held their tempers well until one, injured by a club, fired without orders to start a general volley. Five of the mob were killed and six wounded.

Only cooler heads prevented more trouble. The troops were quickly removed to Castle William, Captain Preston gave himself up, and several of his subordinates were arrested. They were subsequently indicted for murder and obtained the legal services of John Adams and Josiah Quincy for their defense. The recently published legal papers of John Adams¹ reveal for the first time the skill of the defense attorneys. They braved the demands of Sam Adams and other extreme radicals for an immediate trial and obtained a postponement

¹ L. Kinvin Wroth and Hiller B. Zobel, eds., *Legal Papers of John Adams* (3 v., 1965).

until some of the popular antipathy had subsided. Next, they insisted upon separate trials, thereby preventing the possibility of mass convictions. They saw to it that at least five of the jurors were sympathetic toward or had been doing business with the British. The subsequent cross-examination of witnesses was not too severe, for John Adams did not wish to publicize the fact that the "massacre" had been planned by Bostonian malcontents. As a result, the jury acquitted all except two privates, Matthew Kilroy and Hugh Montgomery, who pleaded benefit of clergy and were released after being "burned in the hand."²

There is little doubt that the event was planned by extreme radicals to fan the members of discontent into open flame. Even John Adams, who watched the happenings closely, asserted the incident was the result of "an explosion wrought up by designing men." As proof of the planning, some days before the "massacre" the city was flooded with fraudulent placards, supposedly signed by British troops, which declared that an attack on the inhabitants would soon be made. The promptness with which the church bells were rung definitely indicated pre-arrangement. Moreover, an engraving of the event by Peter Pelham and sold by Paul Revere, filled with errors, was ready for public sale too soon afterwards to have been made following the "massacre."

Outside of Boston the "massacre" made little impression. The handbills and broadsides with their coffin-lined borders that the Bostonians had printed, giving a distorted account of the event and praising the "martyrs" who had given their lives in defense of American liberty, did not have the desired effect of stirring up the rest of the colonies to resort to arms against Great Britain.

Repeal of the Townshend Acts. Nevertheless, the various types of opposition to the Townshend Acts, especially nonimportation, were gradually bearing fruit. American imports from Britain sharply declined in value from £24 million in 1768 to £1.6 million in 1769. Customs receipts followed the same trend. About £13,200 was collected in 1768, and only £2,700 in 1770. The total receipts during the life of the original Duty Act (November 1767 to April 1770) were slightly more than £21,000, instead of the £40,000 annually that Townshend had predicted. About 55 per cent of this sum came from Massachusetts and New York. Once again, as under the Stamp Act, English merchants and shippers protested to Parliament that the measures were detrimental to imperial trade.

Meantime, the Pitt-Grafton ministry was slowly disintegrating. Townshend had died in September 1767, before he could learn of the disastrous effect of his laws, and was succeeded by Frederick Guilford, Lord North, a willing tool of the king. In October 1768 Chatham, worn down by ill health and disgusted with the attitude of the remaining ministers toward America, formally resigned. Grafton continued to find it impossible to cope with the situation.

Then, in the fall of 1769 one of the most corrupt Parliamentary elections in English history was held. George III was determined to dominate the House of

² Had either Kilroy or Montgomery subsequently been arrested for a capital crime, neither could have pleaded benefit of clergy a second time.

Commons, and his "gold pills" proved remarkably effective in curing the "ills" of many a hitherto independent candidate. As a result of this wholesale vote-buying, the "King's Friends," aided by the "Bloomsbury Gang" and other discontented Whig factions, gained undisputed control, to start what came to be known as the king's personal government. Also contributing to this royal victory was the bait held out to the merchants and shippers: the ministry informed the colonial governors that most of the Duty Act would soon be repealed.

The new ministry formed early in 1770 was headed by Lord North, a man with long experience in government, with considerable wit and tact, and able to keep his temper under extreme circumstances. His major weakness was his easy-going nature, which allowed the king to do all the leading. After all, North concluded, he owed his position to royal favor, so that he must carry out George III's policies, not his own nor his faction's. Consequently, the North ministry, with its changing membership during its twelve years in office, was little more than a puppet pulled by strings in the hands of George III.

The North ministry began in conciliatory fashion by obtaining repeal in April 1770 of all the Townshend duties except that on tea. Actually, this was done not so much as a relief for the colonies as to aid the English economy. According to North, those duties were levied principally on English commodities "to the prejudice and discouragement thereof" and "contrary to the true principles of Commerce." Tea, on the other hand, was not produced in the home island. By maintaining the tax on it, Parliament would uphold the principles of the Declaratory Act, which both he and the king actively supported. As George III wrote later, "I am clear there must always be one tax to keep the right, and as such I approve the Tea Duty."

Controversy in the Colonies. News of repeal reached the colonies in May 1770, and resulted in a divided America. The ones who had suffered most during the opposition to the Townshend duties were the merchants and shippers. In the days of nonimportation they had seen their profits decline as their shelves became bare and their ships rode in ballast. Yet, most of them had accepted temporary hardships to help win the struggle over taxation. Now that Britain had relented on everything but the tax on tea, however, these conservatives were ready to revert to peaceful times, feeling that they had won their victory. To be sure, British troops were stationed in their midst in greater numbers, and the customs service had been enlarged, but thus far neither had caused any serious trouble. Moreover, the conservatives foresaw years of prosperity ahead. They would once more enjoy about 40 per cent of the total imperial commerce; they would once again virtually monopolize the sugar and molasses trade, as well as that in fish, with the West Indies; and they anticipated that such trade would soon be fifty times as large as that of the mother country with those islands.

The real worry of the conservatives, however, was not what Great Britain would do, but what the colonial radicals might attempt. Admittedly, they had originally aroused those radicals against the Stamp Act and more recently against the Townshend duties, and the resulting mob activities had played an

important part in accomplishing repeal of the hated measures. But it was possible that the radicals would continue their agitation and try to hold the conservatives to their original promises of political, economic, and social betterment. Being more numerous, the radicals might gain control of the colonial assemblies, enact class legislation, and ultimately set up rule by the "mob." It would be infinitely better, thought the conservatives, to be under a sometimes arbitrary Parliament than to be dominated locally by the lower classes.

Therefore, the conservatives, gradually coming to be called Tories, insisted that the nonimportation agreements be rescinded, although they were willing to continue the ban on tea. They did not believe that the tea tax warranted keeping the full restrictive measures. On the other hand, the radicals, soon to be termed Whigs or patriots, were pleased with the progress they had made in recent years. They wanted to keep alive the widespread opposition to Britain as a means of continuing their own growth in power and influence. They asserted that nonimportation should be enforced on all the original Townshend commodities until Parliament removed all levies on the colonies.

The first test of strength between the rival groups was in New York City. In July 1770 the conservatives conducted a house-to-house canvass that, they said, indicated a large majority in favor of ending nonimportation. The Sons of Liberty challenged the validity of this poll because they asserted only 25 per cent of the inhabitants had voiced their views. Isaac Sears warned that any New Yorker who traded with Britain before intercolonial approval was given would lose his life. The conservatives were correct, however, and the city broke its agreement, aided somewhat by British allowance of an emission by the New York legislature of £120,000 in legal tender paper money to alleviate the colony's financial hardships. Although New York was severely criticized by its neighbors—radicals in nearby communities suggested the city send them its liberty pole, as it was apparently no longer being needed—Philadelphia and Boston, along with most of the smaller towns of the North, promptly followed suit. In the South, South Carolina welcomed the change, because the reopening of trade would surely increase the price of its exported rice. Elsewhere, nonimportation broke down of its own weight. Thus, by November 1770 the English press reported that the colonies were importing everything but tea.

Conditions quickly returned to normal as it appeared that the major controversy had been settled. Trade with England turned upward, jumping from £1.9 million in 1770 to an all-time high of £4.2 million in 1771, as the effects of non-importation wore off and merchants filled their depleted stocks. In England, Parliament for the next three years devoted itself primarily to domestic matters and rarely mentioned American issues.

Radical Aspirations. But the American radicals were not happy. John Adams bemoaned the trend and complained "how easily the people change, and give up their friends and their interests." Samuel Adams was even more disappointed with the state of affairs. He foresaw an end to what he called the "democratic" movement in the colonies. Unless agitation were continued, Americans

would become used to the recent rules and regulations of Parliament; conservatives would eventually forget their original position, persuaded to accept British legislation through the lure of royal posts, pensions, and the like.

Samuel Adams was an ideal leader of the radicals. He was one of the first Americans to advocate complete independence. To attain that objective, he could use the views of better minds to develop able legal arguments. He knew how to organize and inflame the rank and file. Once he had made up his mind, he worked with almost fanatical zeal and great tenacity to accomplish his objectives. Adams was wise enough to stay in the background, allowing those whom he had incited to assume the outward leadership. His "envenomed pen" was ever ready to turn out atrocity stories for broadsides and newspapers, circular letters for the Assembly, and slanderous attacks on Parliament for committees of correspondence. He was a true master of political intrigue. He used the Caucus Club of Boston to good advantage; his cousin John once reported: "This day learned that the Caucus Club meets, at certain times, in the garret of Tom Dawes. . . . There they smoke tobacco till you cannot see from one end of the garret to the other. There . . . selectmen, assessors, collectors, wardens, fire-wards, and representatives are regularly chosen before they are chosen in town." And Thomas Hutchinson said of him: "I doubt whether there is a greater incendiary in the King's dominions or a man of greater malignity of heart; or who less scruples any measure ever so criminal to accomplish his purposes."

The Gaspee Affair. During the years of comparative calm there was a common colonial interest in smuggling tea. So profitable was this illicit trade that Hutchinson declared smugglers could afford "to lose one chest in three" and still undersell the dispensers of honestly imported tea. The British government tried to enforce what remained of the Townshend Duty Act by sending additional naval vessels to American waters. The activities of customs officials and naval officers caused the only disturbances in the otherwise calm atmosphere. There were local outbreaks in Falmouth and Philadelphia against the overzealous—from the colonial point of view—British agents.

A more publicized incident occurred, however, near Providence, Rhode Island. Lieutenant William Dudingston of the *Gaspee* made diligent efforts to enforce the customs laws in that home of notorious smugglers, but lack of tact sometimes overcame his better judgment. He stopped ships and removed their cargoes without warrant; he sent his crew ashore to seize colonists' livestock and food supplies; he ordered his men to fire on market boats in indiscriminate fashion. So bad did the situation become that Governor Joseph Wanton of Rhode Island considered the *Gaspee* as little more than a "piratical vessel," and the inhabitants regarded Dudingston as "more imperious and haughty than the Grand Turk himself." The lieutenant was afraid to go ashore; to do so would mean his arrest by the local authorities on traders' charges that he had seized and held ships without evidence.

Then, on June 9, 1772, the *Gaspee* ran aground on a sandbar near Provi-

dence. The irate townspeople saw their opportunity. Under cover of darkness some 150 of them in small boats boarded the *Gaspee*, and after putting Duddingston and his crew ashore, burned the hated ship.

This flouting of royal authority could not go unchallenged by the mother country. Some English leaders considered the destruction of official property as an "atrocious offence" of treason. In Massachusetts, Hutchinson believed that unless those responsible for the burning of the *Gaspee* were punished, the colonial radicals could not be restrained from even more "licentious" acts in the future. Admiral John Montagu, in command of the British navy in American waters, sent an angry report to Lord Hillsborough, who ordered him, together with Governor Wanton, to arrest the guilty parties and send them to England for trial.

Before anything could come of Hillsborough's instructions, the secretary of state for the colonies resigned in mid-August 1772, to be succeeded by Lord Dartmouth. As indignation grew in England over the incident, which was looked upon as "five times the magnitude of the Stamp Act," it was realized that a firmer policy must be adopted. Accordingly, Governor Wanton, the chief justices of Massachusetts, New York, and New Jersey, and the admiralty judge at Boston were named to investigate thoroughly the *Gaspee* burning, arrest those involved—calling upon General Gage for military help if necessary—and turn the culprits over to Admiral Montagu. To Rhode Islanders in particular and to colonists in general, this commission and its powers were contrary to their conception of their rights as Englishmen. The commission was likened to the English Court of Star Chamber. Every obstacle was placed in the way of the investigators. Although the names of the guilty ones were probably well known locally, none of the townspeople of Providence would testify. The only testimony presented to the commission was that of a runaway slave, and it was so conflicting that it meant nothing. As a result, the commissioners had to report failure.

The *Gaspee* affair nevertheless had some important results. In the first place, by discrediting and ridiculing a royal commission, colonial radicals strengthened their position. Secondly, Lord Dartmouth, who had just taken office as a potential conciliator, began his administration by taking an action that was extremely unpopular in America. Thirdly, the ministry suddenly realized that colonial opposition was not limited to Massachusetts; Hutchinson reiterated this realization when he wrote: "If anything therefore be done by Parliament respecting America, it now seems necessary that it should be general and not confined to particular Colonies." And finally, the support given to Rhode Island by other provinces indicated the growth of a greater degree of colonial unity.

Committees of Correspondence. Up to this time the radical cause had apparently been slowly dying. The Whig leaders had been desperately striving to find some issue to keep it alive until another Stamp Act or Townshend measure was passed. The first answer in late 1772 seemed to be the committee of correspondence. Such committees had been in vogue for some time; they were originally established in most colonies to contact their agents in London. An-

other type of correspondence committee had been set up in Massachusetts, Rhode Island, and New York in 1765 to combat the Stamp Act by promoting uniform methods of protest. The Sons of Liberty had also made effective use of such committees in communicating among themselves.

Samuel Adams was largely responsible for reviving the committee system that proved so effective in the later Revolutionary movement. It began as a result of the insistence of Governor Hutchinson that his and the judges' salaries be paid by the crown, rather than by the provincial assemblies. Adams opposed this effort to free royal officials from colonial control of the purse strings. In an impassioned speech before a Boston town meeting on November 2, 1772, he accused the people of falling under the sway of "Pensioners" who multiplied "like the locusts of Egypt." Adams insisted it was a mistake to accept the decision of judges who helped "the iron hand of Tyranny to ravish our Laws." As a result of this speech, he obtained unanimous approval for the establishment of a committee of correspondence in Boston,

to state the Rights of the Colonists of this Province in particular, as Men, as Christians, and as Subjects: to communicate and publish to the several Towns in this Province and to the World as the sense of this Town, with the Infringements and Violations thereof that have been made, or from time to time may be made. . . . Also requesting of each Town a free communication of their Sentiments on this Subject.

By January 1773 some eighty Massachusetts towns had followed the lead of Boston, each committee naturally dominated by radicals. They opened a lengthy discussion about such matters as absolute powers of Parliament, taxation without representation, unconstitutional exercise of authority by crown officers, standing armies in time of peace, and transfer of court cases to England for trial. These committees discovered a remarkable unity of opinion on these subjects, which nurtured a spirit of greater accord and cooperation. It should be noted that several of the issues were closely connected with the *Gaspee* affair.

Governor Hutchinson had been vigorously opposed to the action of the Boston committee from the beginning, saying that its members were "black-hearted fellows whom one would not choose to meet in the dark." As the movement spread, he became more alarmed; "unless it were checked, it would mark a total separation of the colonies from Great Britain." Daniel Leonard, noted for his "Massachusettensis" letters in support of the crown, considered the committee "the foulest, subtlest, and most venomous serpent ever issued from the egg of sedition." Because the membership in the growing system was kept secret at first, the governor found it next to impossible to curb its many activities.

Soon knowledge of the committee plan spread to other colonies. Pennsylvania papers printed the proceedings of the Boston committee, and a letter from Philadelphia in January 1773 reported, "Your town meetings' resolves begin to excite the attention of the people from these parts." And from the South, Richard Henry Lee of Virginia thought that "it breathes the true spirit of liberty."

Also in January 1773 the news that the crown had set up the royal commission to arrest and transport to England for trial those responsible for the *Gaspee*

gave considerable impetus to the committee system. An appeal was made to Samuel Adams, who advised the Rhode Island radicals to send a circular appeal for assistance to the other colonies.

On March 4 the Virginia House of Burgesses considered this Rhode Island message. A week later a group of younger members, among them Thomas Jefferson, Richard Henry Lee, Patrick Henry, and Dabney Carr, convened at Raleigh Tavern in Williamsburg to discuss the possibility of making common cause in defense of colonial rights as Englishmen. Jefferson believed that a centralized committee of correspondence in each colony might establish the needed unity of action. Consequently, on March 12 Carr moved in the House that a committee of correspondence be set up "to communicate with the other colonies to obtain authentic information of the doings of the administration, especially respecting Rhode Island, and to report to the House of Burgesses." Circulars were then sent to the other colonies telling of this action and requesting them to follow suit. By the end of July 1773 Rhode Island, Connecticut, New Hampshire, and South Carolina had agreed.

Whether the Massachusetts plan of local organization or the Virginia type of centralized supervision was employed, the committees of correspondence, which ultimately were to be found in every colony, provided the groundwork for promoting opposition to Great Britain. They played an important role in creating the Whig party and in developing an intercolonial outlook of greater unanimity than the earlier Sons of Liberty had achieved. As one writer had said, "Radicals everywhere . . . were now given an organization hitherto unknown, and over against the governmental machine, fairly in the control of British officials, stood a revolutionary organization full of sinister possibilities." And General Gage, who was to feel the effects of the committees' activities, informed England that they were "assuming to themselves more power and authority than any body of men ever did, looking upon Government as at an end, and making rules and orders for the regulation of the people of the country."

The Tea Act. Despite the efforts of the radicals, the committees of correspondence might have died of inertia had not Parliament come to their assistance in the spring of 1773 by passing a measure not intended to be either regulatory or revenue-producing, but to prevent the failure of the British East India Company. That long-established firm, which had been an important factor in the development of India, had for some years been facing economic crisis, the result of long wars in the Far East, corrupt and inefficient management, and high, though unwarranted, dividends. Parliamentary aid in the 1760's only delayed the threatened disaster. Early in 1773 bankruptcy was imminent as a combination of events brought a deficit of approximately a million pounds, its stock had declined at least 50 per cent in value, it owed the English government large sums, and its American market had fallen off as a result of colonial nonimportation agreements. The company's main assets were some seventeen million pounds of tea stored in its far-flung warehouses.

To many members of Parliament, the company's bankruptcy would be vir-

tually a national disaster, for though the company was still a private firm, the government loans of the 1760's made it partly an imperial venture. Moreover, some members owned stock in the concern, and its failure would mean personal financial loss as well. Also, the bankruptcy might start a general panic among business firms in England. Consequently, in May 1773 Parliament passed two measures: the Regulating Act, which gave the government greater supervision over the East India Company, and the so-called Tea Act, aimed at salvaging the company financially. Under the latter, the company could ship its tea directly to the colonies and sell it directly to colonial consumers through its own agents. Hitherto, the tea first had to be sent to England, where it was sold at auction to English tea merchants, who in turn re-exported it to the colonies. Naturally, the Tea Act gave the company certain other advantages: it had a monopoly of the American market, and it could sell the tea more cheaply because no English tax was added and no middlemen's or retailers' profits increased the final cost. The only unusual burden for Americans would be the 3d. a pound tax that remained of the Townshend duties. Under the circumstances, Parliament believed that the East India Company could easily dispose of its stored tea and thus avert bankruptcy. Governor Hutchinson, when he learned of the act, admitted that the company could sell tea "at a much lower price than it could be afforded by particular merchants who purchased it in England."

Colonial Reaction to the Tea Act. The Tea Act gave American radicals the opportunity they had been seeking to stir up the colonists again. Prompt protests were raised against this measure. Importers of tea from England were in danger of losing their business. Smugglers of tea would be undersold. The colonists not only disliked the fact of monopoly, but feared lest England grant similar privileges to other companies, thus driving all colonial merchants out of business. Joseph Reed of Philadelphia wrote: "Those who are in trade have the additional motive of interest, and dread a monopoly whose extent may destroy one third of their business. For India goods compose one third of our importations from England." And if trade were ruined, shipbuilding and its associated industries would share the same fate. Some colonists renewed the cry against Parliamentary taxation, not because any new levy was involved, but because of the popularity of the slogan. Another group asserted that England was trying to bribe the colonies with cheap tea to accept the principle of the Declaratory Act. Complaint was also raised because the tea agents in America were to be selected by Englishmen. The monopoly was especially obnoxious because of the nature of the East India Company. According to John Dickinson, the company's stockholders had no regard for

the Laws of Nations, the Rights, Liberties, or Lives of Men. They have levied War, excited Rebellions, dethroned lawful Princes, and sacrificed Millions for the sake of Gain. The Revenues of Mighty Kingdoms have centered in their Coffers. And these not being sufficient to glut their Avarice, they have, by the most unparalleled Barbarities, Extortions, and Monopolies, stripped the miserable Inhabitants of their Property and reduced whole Provinces to Indigence and Ruin.

But how could this act be successfully opposed? Nonimportation would not work because the company was allowed to do its own importing. Therefore, the first attack was against the detrimental effects of tea. It produced, said the opponents, "vapors," "spasms," fevers, and the like. Next, as in the Stamp Act controversy, efforts were made to compel the tea agents to resign in the face of popular threats. Most important, however, were the widespread decisions, engineered in large part by committees of correspondence, not to allow the tea to be landed.

The first shipments by the East India Company consisted of 1,253 chests destined for Boston, New York, Philadelphia, and Charleston. Although no publicity was given, the colonists learned by some means that the tea ships were on the high seas as early as the beginning of October 1773. Handbills mysteriously appeared warning the people that the "Worst of Plagues, the Detestable Tea," would soon arrive. Leading the colonial opposition were Philadelphia radicals, who held a mass meeting on October 16 at which a series of eight resolutions was drawn up. One declared that the duty on tea was actually a tax by Parliament without colonial consent. Another stated that the tax receipts, to be used "for the support of government, administration of justice, and defence of his Majesty's dominions in America," would tend "to render assemblies useless and to introduce arbitrary government and slavery." Consequently, "it is the duty of every American to oppose" this "ministerial plan of governing" the colonies. The tea consignees were called upon to resign immediately, "from a regard to their own characters and the peace and good order of the city and province." These resolutions were widely circulated and accepted by opponents of the Tea Act elsewhere; for instance, a Boston town meeting adopted them practically verbatim on November 5. In New York City at the end of October a large crowd thanked the ship captains engaged in the London trade for refusing to carry East India tea, and then proclaimed that both the former stamp distributors and the present tea agents would "ever be held in equal estimation."

By the end of November, when the first tea ships were expected, the colonial temper had mounted as a result of this agitation. The Delaware River pilots were warned to be on the lookout for the *Polly*, under the command of Captain Samuel Ayres, "a short fat fellow, and a little obstinate withal." The Philadelphia "Committee for Tarring and Feathering" also informed the pilots that it was preparing a fine reception for the captain: "we shall heave him keel out and see that his bottom be well fired, scrubbed, and paid. His upper-works, too, will have an overhauling; and as it is said he has a good deal of quick work about him, we will take particular care that such part of him undergoes a thorough rummaging." And a worse fate was in the offing for the owner of the *Polly*. A separate warning was posted in town for Captain Ayres, which stated in part: "What think you Captain, of a halter around your neck—ten gallons of liquid tar decanted on your pate—with the feathers of a dozen wild geese laid over that to enliven your appearance?"

At about the same time, the Sons of Liberty in New York City drew up reso-

lutions in anticipation of the expected arrival of tea ships, resolutions that read in part:

That whoever shall aid, or abet, or in any manner assist in the introduction of tea, from any place whatsoever, into this colony, while it is subject, by a British act to Parliament, to the payment of a duty, for the purpose of raising a revenue in America, he shall be deemed an enemy to the liberties of America.

Charlestonians were just as vehement in their denunciation of the Tea Act and the agents of the East India Company.

The Boston Tea Party. Boston witnessed local anxiety quite early, but nothing of importance was done until the first tea ship, the *Dartmouth*, captained by James Hall, arrived on November 28, 1773, followed shortly by two others. The tea consignees, worried by radical threats, refused to resign but nevertheless sought refuge in Castle William. Samuel Adams called a hurried meeting of the committees of correspondence of Boston and neighboring towns, and on the 29th it was decided that the tea must not be landed. The *Dartmouth's* owner, Francis Rotch, a prominent Boston merchant, wanted his ship to return to England with cargo intact, but Governor Hutchinson refused permission. To make doubly sure that the tea ship would not leave port, he had two warships guard the harbor's exit and ordered the guns at the Castle loaded. The Boston radicals, for their part, posted a twenty-four-hour guard to prevent the landing of the tea.

Then followed days of stalemate, until December 16, when more than five thousand Bostonians gathered to determine their course of action. What troubled them was a law stating that if any cargo remained in port for twenty days without having its duty paid, it could be seized by customs officers and sold at auction. The twenty days would be up on the 17th. The first decision of the town meeting, dominated by Adams from the sidelines, was that Rotch should again seek the governor's permission to return to England with the tea. Hutchinson, however, was still adamant. When the committee learned of this in the evening, Adams said, "This meeting can do nothing more to save the country." That was the signal for the beginning of the famous Boston Tea Party. One hundred fifty men, already waiting in Indian disguise, boarded the tea ships and emptied their cargoes into the water while thousands on shore watched with approval. Nothing besides the tea, valued at £15,000, was touched, and the crowd dispersed in orderly fashion after the mission was accomplished.

In the other ports the tea ships were usually allowed to return without landing their cargoes. There were a few exceptions. In Charleston the twenty-day law went into effect; the tea was seized by the collector and stored in local vaults, where it remained untouched for three years. Then it was sold at auction, the proceeds being used to help the Revolutionary government. In New York City in April 1774 the radicals emulated Boston's more famous party. Nowhere, therefore, was any of the East Indian product sold to the American public.

Opinion in America varied about the Boston Tea Party. Harrison Gray, conservative treasurer of Massachusetts, believed God would punish the unrepentant Bostonians "in the lake which burns fire and brimstone." Benjamin Franklin thought it an act of injustice against private property that should bring prompt, voluntary reparation. John Adams, however, probably voiced majority opinion when he said it was "the most magnificent movement of All." He continued, "This Destruction of the Tea is so bold, so daring, so firm, so intrepid, so inflexible, and it must have so important Consequences, and so lasting that I cannot but consider it an Epoch in History."

The Coercive Acts. News of the Boston Tea Party reached England in February 1774, and was received with apprehension by government and people alike. Even the friends of America believed the colonists had gone too far. Chatham considered the deed to be "certainly criminal." Nothing should be done to encourage the Americans in "their passions and wild pretensions where they manifestly violate the most indispensable ties of civil society." Franklin reported that "the violent destruction of the tea seems to have united all parties here." All thought of conciliation or compromise was pushed to the background. Lord Dartmouth believed that everything must be done "to vindicate the insulted authority of this kingdom." Some Britons went so far as to advocate the complete destruction of Boston as a warning to the colonies that such actions were not to be condoned. Another group urged that Samuel Adams and other "incendiary" Boston leaders be brought to London on charges of treason. Lord North, representing the government, cried that "the laws of this country" had been openly flouted and, with the approval of George III, demanded a policy of coercion.

Consequently, on March 14, 1774, the Boston Port Bill was introduced into Parliament because "dangerous commotions and insurrections have been fomented and raised in the town of Boston," during which "certain valuable cargoes of teas . . . were seized and destroyed." The ministry believed that "in the present condition of the said town and harbor, the commerce of his Majesty's subjects cannot be safely carried on there, nor the customs payable to his Majesty duly collected." Therefore, the proposed bill stipulated that after June 1, 1774, no one could "take up, discharge, or lay on land . . . any goods, wares, or merchandise whatsoever, to be brought from any other country, province, or place, or any other part" of Massachusetts, under pain of forfeiture. The local customs house was to be moved to Salem. The ban on Boston was to continue until "full satisfaction" for the destroyed tea was made to the East India Company. Exempted from the ban were military stores and "any Fuel or Victual brought Coastwise from any Part . . . of America, for the necessary Use and Sustenance of the Inhabitants," on approval of the customs officers at Salem.

This punitive measure, which in effect was to impose an economic boycott rather than the complete destruction that some advocated, could be cheaply accomplished. Lord North believed that several British regiments and a few frigates could enforce the law. Furthermore, he thought that other colonial

ports, in their quest for the trade normally going to Boston, would refuse to assist her; hence, what colonial union there was would be disrupted by such greed.

In Parliament there was practically unanimous support for the proposal, which became law on March 31. The few dissenters protested that the innocent of Boston would be punished along with the guilty, and that Parliament, rather than the king, should have the power to lift the ban when the tea was paid for. The only note of warning came from one member of the House who declared that the measure would "create that association in the Americans which you had wished so much to annihilate." But the vast majority thought the act "so mild in appearance that it was agreed to without a division." And George III was pleased to inform his prime minister that "the feebleness and futility of the Opposition . . . shews the rectitude of the Measure."

Even before the Boston Port Act was passed, Lord North, in common with numerous other Englishmen, determined "to take the executive power from the democratic part" of the Massachusetts government. To him the colony's charter was too liberal; "all its crudities," or democratic features, must be removed. Therefore, he proposed "An Act for the better regulating the Government of the Province of Massachusetts Bay in New England," which passed the House of Commons by a large majority and with but slight protest. One member felt that the Massachusetts towns should become like English boroughs; then they could be fined if they disobeyed the laws. Another declared the measure was unnecessary because the colonial governor had sufficient authority to do what the act contemplated. The Lords insisted upon some changes in the original bill, and the Commons accepted their amendments. The so-called Massachusetts Government Act, which became law on May 20, 1774, provided that henceforth, members of the Massachusetts Council be selected by the crown instead of being elected by the Assembly and hold office "for and during the pleasure of his Majesty." The governor was empowered to appoint and remove most of the judges and other administrative officers without approval of the Council; hitherto those officials had been elected. Jurors, formerly chosen by the freeholders, were now to be picked by the sheriffs. Finally, no town meetings could be held, except to conduct elections for local officers, without the governor's consent. The governor must specifically authorize the type of business the meetings were to transact. All in all, this act attempted to concentrate all colonial power in the hands of the royally appointed governor.

A third coercive measure, passed at the same time, was the Administration of Justice Act, to ensure "the impartial administration of justice . . . or for the suppression of riots and tumults." By its provisions, when a governor believed that a fair trial would not be possible in local courts for magistrates, customs collectors, or other officials who were charged with any act committed while carrying out the laws of Parliament or with trying to suppress popular riots, the scene of the court action might be transferred to another colonial court or to England. In such cases the governor must see to it that witnesses appeared at the trial,

such witnesses to have their passage paid and be free from arrest during their absence from home on any charges brought against them.

The final act in the series of corrective measures was the Quartering Act of June 2, 1774, which gave local colonial authorities the responsibility of finding barracks for royal troops in areas where trouble was brewing, and not some distance from the scene, as had been possible under earlier laws. During the course of the debates on these coercive acts, four additional regiments were sent to the New England area, and General Gage was made governor of Massachusetts "to put the rebels in their places."

The Quebec Act. The following month Parliament passed the Quebec Act. There is no evidence that Lord North meant this truly enlightened piece of legislation to be linked in any way with the four punitive measures. To many a colonist, however, this law was just as intolerable as the others. It provided for the extension of the boundaries of Quebec northward to Hudson's Bay, southward to the Ohio River, and westward to the Mississippi. By this extension the boundaries of other colonies must not be interfered with, nor were prior rights to be voided. Any inhabitant of the enlarged Quebec "may have, hold, and enjoy, the free Exercise of the Religion of the Church of Rome, subject to the King's supremacy," and the Catholic clergy "may hold, receive, and enjoy their accustomed Dues and Rights." Catholics were not compelled to take the oath of supremacy, although a substitute oath promising loyalty to the king was necessary for officeholding. English law must be followed in criminal cases, but French civil law could be used otherwise. Finally, provision was made for royal appointment of a council to assist the governor in making local laws, subject to the king's approval. Tax measures and religious legislation could not go into effect until royal assent was given.

The Quebec Act was passed for several reasons: (1) the Treaty of Paris of 1763 had promised the French freedom of worship; (2) the Royal Proclamation of 1763 had been hastily drawn up, and the Quebec Act attempted to iron out some of the problems that had arisen since that time; (3) the enlargement of Quebec was aimed at improved administration and defense in the West, not at punishing the older colonies; and (4) it was partly aimed at alleviating French animosity over the unsuccessful English efforts to establish the quitrent system in addition to the French form of land tenure.

American Reaction to the Coercive Acts. The British government warned America that all these acts must be observed, and it expected no resistance. Yet, several Americans resident in England at the time presented protests against the recent measures. It was on May 10, 1774, that news of the Boston Port Act reached Boston, and "special delivery" messages were immediately dispatched to other cities and colonies by post riders. Reception of this information throughout America shows the thorough intercolonial opposition. A Hanover County, Virginia, resolution well expressed the general opinion: "Parlia-

ment by their proceedings have made us all and all North America parties in the present dispute." Pamphlets suddenly appeared that presented all the old arguments about rights as Englishmen. The most widely circulated was that written by Thomas Jefferson, entitled *A Summary View of the Rights of British America*. More and more Americans realized that resistance was far more acceptable than submission, and "never before in history . . . had the waves of sympathetic enthusiasm mounted so high as those which now rolled from South to North and from North to South."

Primary attention was focused on Boston, which was to bear the brunt of the Coercive Acts. On June 1, 1774, the city learned the full meaning of the Port Act. General Gage carried out the law to the letter. No ships were allowed to enter or leave port, and, as Boston was dependent on commerce for a livelihood, thousands were thrown out of work. The neighboring mainland and islands were its source of food, but Gage also cut off that traffic. Fortunately, however, all the colonies believed "the cause of Boston is the cause of all." Nearby towns sent meat, fish, and oil, Connecticut donated hundreds of sheep, Pennsylvania contributed flour, Quebec gave wheat, the Carolinas sent rice and other foods, and all the colonies donated money. Several towns hired unemployed Bostonians on their own local projects. Resolutions of sympathy were passed in Philadelphia, New York, and Williamsburg. William Hooper of North Carolina declared that the colonies "are fast striding toward independence."

General Gage was surprised by this outpouring of support for Boston. In September he wrote: "I find they have some warm friends in New York and Philadelphia . . . that the people of Charleston are as mad as they are. . . . This province is supported and abetted by others beyond the conception of most people, and foreseen by none."

Encouraged by this widespread support, the Bostonians determined not to yield to the Parliamentary acts. When the merchants, foreseeing the effects of the closing of the port, tried to raise the necessary £15,000 to pay for the destroyed tea, they were prevented by the townspeople. The Bostonians showed they were not overawed by either the four royal regiments or the warships in the harbor. The people refused to construct barracks for the troops, and placed every obstacle in the way of carpenters brought in from Nova Scotia. Food was not sold to the army, and the inhabitants burned the straw for its bedding. The committee of correspondence would not recognize the legality of the council members selected under the Massachusetts Government Act and proposed a popularly elected congress as a substitute. All in all, Gage concluded that the Bostonians were "unmanageable"; indeed, by October he was advising England to suspend the Coercive Acts unless additional troops could be sent to enforce them adequately.

THE FIRST CONTINENTAL CONGRESS

Much more important in the growing tide of discontent was the widespread and practically simultaneous demand for an intercolonial congress. For more than a year the need for such a meeting had been discussed by the various committees of correspondence, in taverns, in private letters, and in the press. Only a ~~fortuitous~~ incident was required to change wishful thinking into open demand for such a congress, and that incident proved to be the news of the Coercive Acts.

The first concrete suggestion made by a public body came from Isaac Sears and Alexander McDougall, acting for the New York City committee of correspondence, to the Boston committee on May 15, 1774. It read in part:

We have stimulated the Merchants to appoint a Meeting tomorrow Evening at 7 O'Clock to agree upon a general Non-importation, and Non-exportation Agreement of Goods, to and from Great Britain, until the american Grievances are redressed; under such Regulations as may be agreed upon by Committees from the Principal Towns on the Continent, to meet in a general Congress to be held here for that Purpose.

Two days later a Providence town meeting was the first official agency to propose such a congress, and within a week similar calls came from numerous other communities. In view of the time and distance separating the various colonies, it can be seen that these proposals were not influenced by one another.

The most publicized session was that of the Virginia House of Burgesses, which on May 24 adopted Thomas Jefferson's resolution that June 1 (the day that the port of Boston was to be closed) be a day of prayer and fasting in the hope that "the minds of his Majesty and Parliament may be inspired from above . . . to remove from the loyal people of America all cause of danger. . . ." Governor Dunmore, who considered this resolution an insolent reflection on both king and Parliament, dissolved the legislature. Eighty-nine members of that body met, however, in nearby Raleigh Tavern in Williamsburg on May 27 to recommend that the colonies carefully consider whether all trade should be suspended with Great Britain and also to propose a general congress "to deliberate on those general measures which the united interests of America may from time to time require."

The Massachusetts Invitation. The official call came from Massachusetts, where the Assembly, meeting behind locked doors, approved a series of resolutions sponsored by Samuel Adams. The most important clause read:

That a meeting of the Committees from the several colonies on this continent is highly expedient and necessary to consult upon the present state of the colonies, and the miseries to which they are and must be reduced by the operation of certain acts of Parliament respecting America; and to deliberate upon wise and proper measures to be by them recommended to all the colonies, for the recovery and establishment of just rights and liberties, civil and religious, and the restoration of union and harmony between Great Britain and the colonies, most ardently desired by all good men.

The suggested meeting place was Philadelphia, and the proposed time was the first of September.

This invitation was well received throughout the colonies. Even the conservatives favored it, persuaded in large part by the promised "restoration of union and harmony." All colonies named delegates except Georgia, which was prevented from doing so by her royal governor. The method of selection varied, but usually it was done by some irregular body. In Connecticut it was by committee of correspondence; in Maryland, New Hampshire, New Jersey, Delaware, Virginia, and North Carolina by provincial committee or congress; in New York and South Carolina by what practically amounted to town mass meetings; and in Massachusetts, Rhode Island, and Pennsylvania by the assembly. The instructions to the delegations also varied, but a typical set would include: (1) the drawing up of a statement of colonial rights; (2) efforts to obtain repeal of Parliamentary acts taxing the colonies as well as of the Coercive Acts; (3) agreement on "one general plan of conduct" for the colonies; and (4) the restoration of union and harmony with England.

The Composition of the Congress. Fifty-six delegates eventually attended sessions of the First Continental Congress, which met in Philadelphia from September 5 to October 26, 1774. More than one third had been to college; there were thirty lawyers or jurists; nine were planters or farmers; nine were merchants; three were millers; three made a vocation of officeholding; one was a surveyor; and one was a carpenter. Forty-nine of the delegates were in the thirty to sixty age bracket. Only one had not been born in the colonies. Numerous religious sects were represented, and all shades of public opinion. The leading radicals were Samuel and John Adams of Massachusetts, Patrick Henry and Richard Henry Lee of Virginia, Roger Sherman of Connecticut, Stephen Hopkins of Rhode Island, and Christopher Gadsden of South Carolina. Heading the conservatives was Joseph Galloway of Pennsylvania, who vigorously opposed anything that might promote a break with the mother country. Others in his camp were John Dickinson of Pennsylvania, John Rutledge and Henry Middleton of South Carolina, and John Jay and James Duane of New York. Between these two extreme groups were the moderates—the "mongrels," as John Adams called them—of whom the best known was George Washington.

Although the three elements were approximately equal numerically, the radicals had the advantage of better organization and planning.

Despite the virtual unanimity of the colonies in support of this Congress, the delegates were still primarily provincial in their outlook. As John Adams wrote in the beginning, "Fifty gentlemen meeting together, all strangers, are not acquainted with each other's language, ideas, views, designs. They are therefore jealous of each other—fearful, timid, skittish." The early round of dinners, parties, drinking festivities, and informal gatherings gradually broke down the reserve and suspicions of most delegates. The New Englanders soon discovered that the Southerners were not the conservative supporters of the king that they had thought them to be. Silas Deane of Connecticut wrote: "You may tell your friends that I never met, nor scarcely had an idea of meeting, with men of such firmness, sensibility, spirit, and thorough knowledge of the interests of America, as the Gentlemen from the Southern Provinces appear to be.... May New England go hand in hand with them, and we need not fear a want of spirit." And the Southerners in turn found the New Englanders not so radical as they had been painted. Caesar Rodney of Delaware voiced the opinion of many when he wrote, "The Bostonians who [we know] have been condemned by many for their violence are moderate men when compared to Virginia, South Carolina, and Rhode Island." Thus, the Congress tended to serve as a liberal education for the delegates, who lost some of their prejudices and sectional jealousies, caused in part by their sometimes abysmal ignorance about other parts of America. They learned that a Bostonian was very little different from a New Yorker, a Philadelphian from a Charlestonian, an inhabitant of the Tidewater from a back county dweller. And the resulting emergence of a feeling of unanimity caused John Adams to write, "The more we conversed . . . with the members of Congress, the more we were encouraged to hope for a general union of the continent."

Rivalry was nevertheless quickly evident between the conservatives and radicals. The first test of strength came over the selection of the meeting place. Galloway offered the State House; the radicals, however, voted successfully to deliberate in the Carpenter's Hall, a plain though spacious building. This choice was greeted enthusiastically by the citizens generally and the mechanics in particular. Then, upon nomination by Thomas Lynch of South Carolina, Peyton Randolph of Virginia was elected congressional president, with Charles Thomson of Pennsylvania, who was not a delegate, as secretary. The latter selection was another radical victory, as Thomson was affiliated with the local Sons of Liberty—one of its most violent members, thought Galloway. Next, the members decided upon the rules, the most important of which were that each colony, regardless of size and the number of delegates present, should have but one vote, and that the proceedings be secret, unless a majority decided otherwise.

The Suffolk Resolves. While the Congress was appointing committees to consider various issues, the people of Suffolk County, Massachusetts, which

included the city of Boston, were drawing up the Suffolk Resolves. The principal theme was that "the people owed an indispensable duty to God and to their country to preserve those liberties for which the fathers had fought and bled." Determined opposition was expressed against the Coercive Acts, especially the one altering the charter of Massachusetts, but the Bostonians promised to support any recommendations of the Congress. These Resolves were speedily sent to Philadelphia, where they were read to the delegates on September 17. Despite the opposition of conservative members, who knew that recognition of the Resolves would practically end any possibility of reconciliation with the mother country, the radicals forced through an expression of sympathy for the sufferings of Massachusetts. They also approved the wisdom with which opposition to British measures had been conducted. Furthermore, the Congress suggested that the other colonies contribute to alleviate the distress of the Bostonians. John Adams considered the day that the Congress endorsed the Resolves one of the happiest of his life. "This day convinced me," he wrote, "that America will support the Massachusetts or perish with her." But to Galloway, it meant that "the foundation of military resistance throughout was effectually laid."

The Galloway Plan. Consequently, Galloway introduced a plan on September 28 he hoped would offset the Resolves and re-establish harmony with England. He first suggested an appeal to George III to end American grievances, accompanied by an assurance that the colonies desired a more perfect union with Great Britain. Such a policy, continued the Pennsylvania conservative, was "consonant with those principles of safety and freedom which are essential in the constitutions of all free governments, and particularly that of the British legislature." As it was impossible, because of distance, for the colonies to be actually represented in Parliament, his plan would strengthen the empire, end existing differences, and obtain for the colonies those rights and privileges to which they were entitled.

The first step in his plan of union was the royal appointment of a president-general and the selection every three years of a grand council by the people through their colonial assemblies. The council must meet at least once a year, and could elect its own speaker and in general enjoy all the privileges, liberties, and rights of the House of Commons. No act of this grand council could become effective until approved by the president-general. When he gave this assent, he must effectively enforce the law. With council endorsement he could exercise general police power in the colonies, and also deal with civil, commercial, and criminal matters concerning Britain and the colonies. The president and the council would form a distinct, though inferior, branch of Parliament, united with it, however, for the common good. One important way in which this Galloway plan differed from the earlier Albany Plan was that the consent of both branches, English and American, was needed before any measure concerning America became law, no matter in which branch it originated. Each

member colony would retain its present charter and power to regulate "its internal police in all cases whatsoever."

This plan was actively supported by conservative delegates, particularly those from New York, Pennsylvania, and South Carolina. Among its individual supporters were James Duane, John Jay, and Edward Rutledge, all of whom later endorsed independence. At that time, however, they believed this plan would sufficiently safeguard the rights of Americans. For a while, it appeared as though the conservative arguments might bring victory to the Galloway proposal, but the radicals rallied, and, by making it seem that American interests would be injured, they defeated it, though only by the close vote of six colonies to five. To make the radical victory complete, all records of the proposal and the debates upon it were removed from the minutes. The radicals hoped thereby to make it appear that all was harmonious behind the closed doors of the meeting chamber, and that the Congress did not favor a reconciliation sponsored by the colonists themselves. They maintained that because England was entirely in the wrong, she should make the first gesture.

Shortly after the rejection of the Galloway plan, Paul Revere reached Philadelphia with a message from the Boston committee of correspondence telling about the dissolution of the Massachusetts Assembly by Governor Gage and the British fortifications being constructed in Boston. Fear was expressed lest the inhabitants be made hostages to compel the colony to obey Parliamentary laws. This message concluded with a request for Congressional advice as to the best course to pursue. A committee of three drafted the reply, addressed to Gage, which stated that the Congress, consisting of "the representatives of His Majesty's faithful subjects in all the colonies," wholeheartedly approved of the resistance of Massachusetts "to the late Acts of Parliament." The governor was requested to cease making Boston a garrison city, for to continue might bring on the horrors of civil war.

To substantiate the theme of this letter, the Congress, between October 8 and 11, passed five resolutions regarding Massachusetts that bitterly denounced the Coercive Acts as unconstitutional, stated that the new government of the colony illegally interfered with charter rights, and urged the people to set up their own civil government, to raise troops for their own defense, and to suspend all commerce with England. At the same time, several members of the Congress privately informed their friends in Massachusetts that their own colonies were ready to support that province in such actions, even to the point of war.

The Declaration of Rights and Grievances. Although it seemed possible that the rejection of the Galloway plan and the endorsement of the Massachusetts action might complete the breach between the two extremist groups in the Congress, they did approve on October 14 a Declaration of Rights and Grievances. This document opened with a stern criticism of Parliament for taxing the colonies, extending the power of the admiralty courts, having salaries of colonial officials paid by the crown, keeping standing armies in America, dis-

solving a colonial assembly, and passing the Coercive Acts. The colonists must have certain rights, particularly those of life, liberty, and property, which could not be taken away without their own consent. Moreover, all free inhabitants must be allowed to participate in passing legislation that concerned them, either directly or through their chosen representatives. Though the Americans professed loyalty to the king, they believed Parliament's control over them must be limited to the supervision of external trade "for the purpose of securing the commercial advantages of the Empire." Galloway and his conservative followers felt this Declaration might lead to a permanent union with Britain, whereas the radicals regarded it as a fitting statement of what they would insist upon to the bitter end.

The Association. After a discussion of approximately a month, the most important action of the First Continental Congress, the Association, was approved on October 20. This was an unusual combination of recommendation and law, despite the fact that the Congress was not empowered to legislate. As usual, it opened with an expression of loyalty to the king and a critical attack upon the "ruinous system of colony administration, adopted by the British ministry about the year 1763, evidently calculated for enslaving these colonies, and, with them, the British Empire." The only way to obtain redress was a "non-importation, non-consumption, and non-exportation agreement, faithfully adhered to."

Consequently, after December 1, 1774, the colonies should not import any goods from Britain or Ireland, or any East India tea from anywhere, or molasses, sugar, coffee, or pimento from the British West Indies, or wines from Madeira, or any foreign indigo. All participation in the slave trade should be discontinued on the same date. After March 1, 1775, the colonists should not use or consume any commodities imported since December 1 in defiance of the nonimportation agreement, except those sold under direction of local enforcement committees. No goods should be exported to Britain, Ireland, or the West Indies after September 10, 1775.

The colonists were to try to improve the number and breed of sheep, none of which were to be exported. If too large an overstock developed, such surplus should be sold to the poor on moderate terms. Throughout America were to be encouraged "frugality, economy, and industry," as well as the promotion of "agriculture, arts and the manufactures," especially of wool. Frowned upon should be "every species of extravagance and dissipation, especially all horse-racing, and all kinds of gaming, cock-fighting, exhibitions of shews, plays, and other expensive diversions and entertainments." Extensive mourning should also be ended.

To enforce this Association, the qualified voters of every county, city, and town should select a committee to examine frequently the customs houses, to prevent price increases, to establish boycotts against communities defying the Association, and to publish in the press the "truth" of such happenings "to the end, that all such foes to the rights of British-America may be publicly known,

and universally contemned as the enemies of American liberty; and henceforth we respectively will break off all dealings with him or her."

Through this Association, it was hoped to paralyze the commercial and mercantile interests of Great Britain, which would thereupon petition Parliament to repeal the objectionable acts, and Parliament, as in the past, would have to yield. Samuel Chase of Maryland believed it would reduce England to bankruptcy; Richard Henry Lee felt it "would wring immediate concessions from Parliament."

The remaining work of the Congress consisted of a series of petitions and memorials to the people of Great Britian, to the inhabitants of the British West Indies, to the residents of Canada, and, finally, to the king. In all of these pieces of propaganda the delegates emphasized colonial rights and the unconstitutional acts of Parliament, and called upon other parts of the empire to help obtain the American objectives. No mention was made of independence, for all these messages stressed complete loyalty to the king. A typical statement was: "To a sovereign, who 'glories in the name of Briton' the bare recital of these facts must we presume, justify the loyal subjects, who fly to the foot of his throne and implore his clemency for protection against them." There was a certain inconsistency in these documents, because most of them attacked the Quebec Act, yet one of them tried to obtain Canadian support for the American position. Just before adjourning, the Congress decided that a second meeting should be held the following May if Parliament had not relented in the meantime.

Reaction to the First Congress. Throughout the colonies the work of this extralegal body encountered some opposition. The New York Assembly, under conservative control, refused to thank its delegates for their work, or to give its blessing to the Association. Protest meetings were also held by merchants in several colonies who objected specifically to the Association, which threatened to ruin their business. They blamed its adoption and subsequent enforcement upon the sharper-witted radicals who had outmaneuvered the majority. A bitter pamphlet war started in New York against the Congress, with Samuel Seabury, Myles Cooper, and Charles Inglis, all Anglican ministers, taking the lead. Most notable were the series of letters written by Seabury and signed "A. W. Farmer." These "letters of a Westchester farmer" were most sharp and vigorous in their denunciation of both the Congress and the radicals, as the following excerpts reveal:

People who talk so feelingly, and with so much pleasure about revolutions, and who are ever ready to justify the most violent and the most needless opposition to government . . . seem to me too fond of revolution to be good subjects of any government on earth. . . . If we must be enslaved, let it be by a King at least, and not by a parcel of upstart, lawless committeemen.

The radicals were quick to answer, Alexander Hamilton and William Livingston more than holding their own with their able replies. Lord Dunmore, governor

of Virginia, wrote to Lord Dartmouth that "every step which has been taken by these infatuated people, must inevitably defeat its own purpose."

By and large, however, the work of this Congress was well received throughout the colonies, with the exception of Georgia, which had not participated. Counties, towns, and cities everywhere quickly established committees to enforce the Association. Sometimes they were called committees of safety, sometimes enforcement committees, with a membership composed primarily of radicals. The colonies also began to set up provincial committees or congresses. Tarring and feathering was a frequent punishment for those who dared violate the agreement, and in some communities there were riots and destruction of property. Merchants were boycotted if they tried to import. Every effort was made to live austerity; dinner parties, dances, sporting events, and amusements were canceled.

Thus, the First Continental Congress, called into session merely to protest recent acts of Parliament, succeeded in establishing a strong organization to supervise the daily life of the colonists. Some have called the Association the "beginning of the American union." It surely did promote a form of economic union in America in complete opposition to British laws. This Association raised the problem of ultimate allegiance: was it to continue to submit to the crown, or was it to follow the radical colonial leaders? If the former prevailed, then England must back down again. If she refused, the alternative was war. The radicals, now known as Whigs, became more unified as a result of the Congress. Although they were not yet openly advocating independence, some were certainly thinking about it, and they were preparing the rank and file for a change. The conservatives, or Tories, were approaching a tragic position, for the movement they themselves had initiated was getting out of hand. The moderates were finding it more difficult to stay on the fence; more and more of them were dropping over to the radical side.

In England there was no general comprehension of the American situation. Many believed the colonies were in open rebellion and had set up revolutionary governments. If this was true, the rebellion must be checked at once, even at the cost of temporary hardship in Britain. Even some of the merchants shared this view.

Long before George III learned what the Congress had done, he had made up his mind what to do about it. "The dye is now cast," he wrote to Lord North on September 11, 1774, "the Colonies must either submit or triumph; I do not wish to come to severer measures, but we must not retreat." He believed that if England continued to enforce the Coercive Acts, the colonies would have to submit. Then, he continued, "I have no objections afterwards to their seeing that there is no inclination for the present to lay fresh taxes upon them." There must always be one tax in effect, however, to show the colonies that Britain preserved this right, and he preferred the one on tea. This attitude, expressed before the Congress had acted, showed that the American petitions would receive scant consideration from George III. When he did hear about what Congress had done, he regarded the meeting as seditious.

His solicitor-general, Alexander Wedderburn, staunchly supported this opinion when he told the House of Commons that "an enemy in the bowels of the Kingdom is surely to be resisted, opposed, and conquered." Moreover, Edmund Burke, nominally a friend of America, looked upon the Congress as a dangerous rival of Parliament.

Chatham's Conciliatory Efforts. Lord Chatham, on the other hand, found some justice in the colonial actions: "For solidity of reason, force of sagacity, and wisdom of conclusion under a complication of difficult circumstances, no nation or body of men can stand in preference to the general Congress at Philadelphia." In support of the requests of that body, he made a formal plea for reconciliation on January 20, 1775, based on a specific demand for the removal of royal troops from Boston. By so doing, England could "open the ways toward a happy settlement of the dangerous troubles in America by beginning to allay ferment and soften animosities there." The colonies would then realize England's desire to act justly by revising those statutes opposed in America. Were Britain to remain adamant, Chatham declared, she would be acting like a tyrant. And tyranny, intolerable to all British subjects, was just as "ridiculous and weak in practice as it was unjust in principle." The House of Lords refused, however, to accede to Chatham's request, by a vote of sixty-eight to eighteen.

Undiscouraged by the setback, Chatham introduced on February 1, 1775, a "Provisional Act for settling the Troubles in America and for asserting the supreme legislative Authority and superintending Power of Great Britain over the Colonies." This upheld the general principle of the Declaratory Act, but urged that Parliament allay American fears by declaring that no army be used "to violate and destroy the just rights of the people," by asserting that "no tallage, tax, or other charge for his Majesty's revenue" be raised in America "without common consent of provincial assembly there," by recognizing the legality of the proposed Second Continental Congress, and by repealing or amending all laws passed since 1763 to which the colonies had taken exception. On America's part, there must be recognition of the validity of the Declaratory Act, and a "free grant . . . of a certain perpetual revenue to the disposition of the British Parliament . . . to the alleviation of the national debt," because that debt was in part incurred "for the defence, extension and prosperity of the colonies." Such a grant would be a "testimony of affection" on the colonies' part and would be apportioned among them by the Congress.

The two distinctive features of Chatham's proposal were his continued insistence upon recognition of the Declaratory Act and his suggestion that the Congress be approved. He saw in the Congress "a new and powerful link between the Mother Country and her colonies," but even he had to admit that it must be inferior to Parliament. His "Provisional Act," however, shared the fate of his first conciliatory effort.

Reconciliation at this time also had its advocates outside of Parliament. London and Bristol merchants petitioned the House of Commons on January 23

to "enter into a full and immediate examination of that system of commercial policy, which was formerly adopted and uniformly maintained, to the happiness and advantage of both countries, and will apply such healing remedies as can restore and establish the commerce between Great Britain and her colonies on a permanent foundation." Similar appeals came from numerous other mercantile groups throughout England and Scotland. But they were shunted into a mass of other documents regarding America, and ultimately forgotten.

The Restraining Acts. Parliament's hostility to compromise was also shown by the passage of several measures in early 1775 calculated to subdue the rebellious spirit in America. The first of these resulted from the request of the king in a letter to Lord North on February 15: "Where violence is with resolution repelled, it commonly yields, and I owne though a thorough friend to holding out the Olive Branch I have not the smallest doubt that if it does not succeed that when once vigorous measures appear to be the only means left of bringing the Americans to due submission to the Mother Country that the colonies will submit." Thus, Parliament declared Massachusetts Bay in a state of rebellion, which must be extinguished quickly. To this end, the armed forces of Britain were increased by some six thousand men, and the royal troops in Boston augmented to ten thousand. The English leaders believed that this increase would not only end disobedience in Massachusetts, but prevent rebellion from spreading to other colonies.

The next punitive step was the First Restraining Act, sometimes called the Fisheries Act, which limited the trade of New England to Britain, Ireland, and the British West Indies and forbade the New England colonies to trade with one another. New England fishermen were also prohibited from plying their trade along the Grand Banks. When these measures did not stem the rebellious spirit, a Second Restraining Act extended these provisions to New Jersey, Pennsylvania, Delaware, Maryland, Virginia, and South Carolina. Thus, only New York, North Carolina, and Georgia remained free of these prohibitions, because Parliament hoped they would thus be influenced to remain loyal.¹

The North Conciliatory Plan. Considering the ease with which the Chatham propositions were defeated and the First Restraining Act passed, it is no wonder that the House of Commons was surprised when Lord North submitted his conciliatory proposals on February 20, 1775. According to the king, the plan "plainly defines the line to be held in America; and as it puts an end to Congresses, it certainly will have a good effect in this Country, and I hope in at least some of the Colonies." The causes for the introduction of the plan were

¹ The exclusion of North Carolina from the provisions of this act caused apprehension and indignation in that colony. The Wilmington Safety Committee denounced it as "a base and mean artifice, to seduce them into a desertion of the common cause of America," and declared that North Carolina would not accept "advantages insidiously thrown out" by the law, but would continue to adhere faithfully to the actions of the Continental Congress.

probably the wish to offset the Chatham bills, to forestall further clamor in favor of the petition of the Continental Congress to which Parliament had just refused to listen, to sidetrack consideration of papers relating to the unfavorable state of American conditions, and, finally, to bring peace by offering a ministry-made olive branch. The North plan read:

That it is the opinion . . . that when the Governor, Council and Assembly . . . of any of his Majesty's Provinces . . . shall propose to make provision . . . for contributing their proportion to the common defence (such proportion to be raised under the authority of the General Court . . . of such Province . . . and disposable by Parliament) and shall engage to make provision also for the support of the Civil Government, and the Administration of Justice, in such Province . . . , it will be proper, if such proposal be approved by his Majesty and . . . Parliament, and for so long as such provision shall be made accordingly, to forbear . . . to levy any Duty, Tax, or Assessment, except only such Duties as it may be expedient to continue to levy or to impose for the regulation of commerce; the net produce of the Duties last mentioned to be carried on the account of the Province. . . .

After long debate, during the course of which Lord North spoke six times in behalf of the proposal, the measure was overwhelmingly approved in both Houses by February 27.

The North plan was wise as far as it went, and, had it been successful, would have been widely praised. It was expected to quiet the criticism of the Whig opposition in England, and it might quell the rebellious spirit in America, for the colonies were promised no more Parliamentary taxation if they themselves provided the necessary funds for their own civil government and administration of justice. If all the colonies did not fall in line, at least New York might, to be followed shortly by North Carolina and Georgia. Such defection would break the back of colonial resistance. But these were merely pleasant dreams on North's part. His plan did not reach the crux of American objections, for Parliament continued to claim the right to tax the colonies, and a standing army was still to be maintained in America.

On March 3, 1775, Lord Dartmouth, secretary of state for the colonies, urged the several provincial governors to persuade their respective assemblies to agree to the North proposition. His argument was that because America owed its greatness to its position within the empire, it should justly contribute its share to imperial defense. Were the colonies to do so, they would "have full security that they can never be required to tax themselves without Parliament taxing the subjects of this kingdom in a far greater proportion." He assured the colonies that any financial proposal they made would be received by Parliament with the greatest indulgence, provided they did not accompany such proposals with demands not consistent with Parliamentary authority.

Burke's Speech on Conciliation. To Edmund Burke, the North plan was harsh and perplexing. Therefore, on March 22, 1775, in his famous speech on conciliation in the House of Commons, he proposed "to establish the equity and

justice of taxation of America by grant and not by imposition; to mark the legal competency of the colonial assemblies for the support of their government in peace, and for public aids in time of war," and to show "the futility of Parliamentary taxation as a method of supply." He began by urging repeal of various acts concerning America. Then he insisted that Parliament should admit six basic truths in order to restore and maintain peace: (1) the colonies had never been allowed to elect representatives to Parliament; (2) nevertheless they had been taxed by Parliament; (3) they were too far away to be directly represented; (4) each colony had its representative body empowered to tax its own citizens; (5) those assemblies had frequently contributed financially to the crown when so asked; and (6) this method was much more conducive to good feeling than was Parliamentary taxation. But, like Chatham's efforts, the Burke proposals were voted down by large majorities.

Lexington and Concord. The colonies, especially Massachusetts, were in no mood to accept the Lord North plan. The whole New England area had been in an almost constant state of turmoil since the preceding autumn, in part because of the Coercive Acts, in part because of the widespread unemployment in Boston occasioned primarily by the closing of the port, and in part because of the presence of thousands of British troops, supported by ships of the royal navy, under the command of General Gage, who had recently been made governor of Massachusetts. Gradually, a distinct bitterness had developed between these troops and the civilian populace. The latter were in an uneasy frame of mind because of stories circulated by radical leaders that the Redcoats were responsible for many "robberies, rapes, and murders" from which "neither our Wives, Daughters, nor even Grandmothers would be safe." Moreover, efforts by the British army to seize military stores near Boston early in September 1774 almost resulted in an armed uprising throughout New England. General Gage realized the gravity of the situation and did his best to alleviate the trouble, for he believed that Americans were ready to meet force with force. He called upon John Hancock, whom he should have arrested and sent to England for trial, along with Samuel Adams, to use his influence to promote cooperation. For this Gage was charged by the Tories with being an "old woman."

It was not until the early months of 1775 that Gage began to send out troops in disguise to locate hidden colonial military stores. Near the end of February a detachment attempted to seize some at Salem, but was frustrated by the vigilance of Colonel Timothy Pickering and the local militia. This incident only made the local inhabitants more wary in hiding their supplies and more conscious of the need of effective methods for warning the "minutemen" against future British raids. In March there was almost another outbreak between troops and civilians, stimulated by Joseph Warren's incendiary oration in commemoration of the Boston Massacre, when the situation had been nearly comparable.

It was in April, however, that Gage, disturbed by messages from England and by Tory taunts, decided that he must destroy the military stores at Con-



The Battle of Lexington. (Courtesy of The New-York Historical Society, New York City)

cord, some eighteen miles from his Boston base, and, according to current rumors, arrest Hancock and Adams,² whom his spies reported to be in nearby Lexington. His secret plans leaked out, however, and the colonists worked out the means for signaling their friends as to when and how the British would depart from Boston. The story of how the signal lights were flashed from the tower of the North Church and of the "midnight ride" of Paul Revere and William Dawes to warn "the countryside to be up and to arms" is too well known to need repeating here.

On the evening of April 18, 1775, some eight hundred British troops under Lieutenant Colonel Francis Smith were ferried from Boston to the mainland and began their all-night march to Lexington. Thanks to the warnings given by Revere and Dawes, the British efforts at stealth were unavailing. The march was accompanied by the booming of colonial cannon, the firing of guns, and the tolling of bells, which aroused still more colonists.

When the British advance force under Major John Pitcairn finally reached Lexington on the morning of the nineteenth, it found some seventy minutemen, headed by Captain John Parker, disputing its progress on the village green. It is still a matter of controversy as to which side fired the first shot, but whoever did started the military phase of the American Revolution. Eight of the colonial militia were killed and ten wounded in this battle of Lexington. Hancock and Adams were warned in time to escape the British, who then proceeded to Concord, seized it, destroyed the stores that could not be hidden, and posted men to guard the bridge across the river.

² The most recent research indicates that the seizure of these two men was not part of Gage's objective.

Smith's men were in jeopardy, however, for hundreds of minutemen thronged to Concord from the neighboring countryside. In the ensuing battle, during which was fired the "shot heard round the world," the British were compelled to begin their retreat to Boston. Only the arrival of a thousand more troops under Brigadier General Lord Hugh Percy saved the original British party from graver disaster. As it was, the retreat, which continued throughout the rest of the day, was humiliating to the royal forces. The Americans, from behind trees, stone walls, barns, and houses, showed their proficiency in fighting, even though their marksmanship left much to be desired. It is estimated that the British suffered 273 casualties out of some eighteen hundred men, whereas the American losses numbered but ninety-five of the thirty-seven hundred engaged in the battle of Concord and the resulting British retreat.

England received the news of Lexington and Concord with mixed feelings. The king wrote that "America must be a colony of England or treated as an enemy," and refused to consider the possibility of placing the colonies on an equality with the mother country. Lord North was definitely shaken, as he had been optimistic that America would accept his conciliatory plans. Lord George Germain, secretary of state for the colonies, demanded immediate subjugation of the rebels and was ready to call on Canadians to bring the New Englanders "to reason" by force. The Whig opposition, however, blamed the "incredible absurdity" and "paltry, shallow, and contemptible" politics of Lord North for those events. Others began to change their opinion of the caliber of the colonists. Less was now said about their cowardly nature, and more about their bravery. Another group took the position that the Americans were actually fighting the battles of Englishmen, asserting that there was "nothing left for the welfare of this country, but the virtue and fortitude of America." Recruiting for the British army fell off considerably, and there was talk of need to employ mercenary troops. As for those who had been engaged in the battles, opinions varied. Lord Percy stated, "For my part, I never believed, I confess, that they would have attacked the King's troops, or have had the perseverance I found in them yesterday." On the other hand, some British officers accused the Americans of barbarous acts, and Captain W. G. Evelyn called his opponents "the most absolute cowards on the face of the earth."

In America stories of the "victories" were promptly dispatched by post riders to all sections, where they were hailed with enthusiasm. Every New England colony started to organize more effective military units. John Stark headed the New Hampshire movement, Nathanael Greene the one in Rhode Island, Israel Putnam the Connecticut group, and, also in Connecticut, Benedict Arnold began to recruit an army to move against Forts Ticonderoga and Crown Point. As far south as the Carolinas the new spirit of resistance was mounting. Many a hesitant American was swung over to the patriot cause of armed opposition. But above all, the colonists had gained the confidence to keep the American cause alive.

REVOLUTIONARY LOCAL AND STATE GOVERNMENTS



The Tea Act and the resulting coercive measures of 1774 caused the radicals to realize the necessity for establishing more effective machinery at the local level to combat these obnoxious laws. Thus, there came into being provincial congresses or conventions that gradually supplanted the regular colonial governments. For approximately two years these extralegal bodies dominated most of the thirteen colonies. Then, as independence approached, these provisional agencies were succeeded by formal state governments, with constitutions embracing many of the objectives for which the colonists had been striving.¹

The Early Provincial Congresses. One of the first colonies to act was Virginia. It may be recalled that when Thomas Jefferson proposed observing a day of mourning for the beleaguered Bostonians, the House of Burgesses was dismissed by Governor Dunmore for this insolence. But on May 28, 1774, eighty-nine of its members met in the Apollo Room of Raleigh Tavern, where they decided to form a provincial congress to manage Virginia's affairs. The congress held its first session at Williamsburg on August 1, 1774.

Neighboring Maryland, stirred by the growing power of the radicals and incensed over news of the Boston Port Act, held a series of local mass meetings in which committees of correspondence played important roles. These meetings led to the decision on June 22 that a provincial congress be selected. Pennsylvania followed a similar course the next month. In New Hampshire there had been a continuous struggle between John Wentworth, the royal governor, and the radically dominated legislature. When Wentworth dissolved the recalcitrant Assembly, the members agreed to form themselves into a provincial congress before the end of July. In North Carolina a similar battle had been going on

¹ For leading accounts of the establishment of state governments, see Allan Nevins, *The American States During and After the Revolution, 1775-1789* (1924); Robert E. Brown, *Middle-Class Democracy and the Revolution in Massachusetts, 1691-1780* (1955); Elisha P. Douglass, *Rebels and Democrats: The Struggle for Equal Political Rights and Majority Rule During the American Revolution* (1955); David Hawke, *In the Midst of a Revolution* (1961); and Jackson T. Main, "Government by the People: The American Revolution and the Democratization of the Legislatures," *William and Mary Quarterly*, XXIII (July 1966).



The Apollo Room of the Raleigh Tavern, Williamsburg, Virginia. (Courtesy of Colonial Williamsburg, Williamsburg, Virginia)

between Governor Josiah Martin and the Assembly over taxes and the composition of the judiciary. On March 14, 1774, Martin declared that he would refuse to convene the newly elected legislature. The radical leaders, headed by John Harvey and Cornelius Harnett, took matters into their own hands, encouraged by the growing opposition elsewhere to the Port Act and by the fact that other colonies were establishing their own congresses. As a result, a circular letter was sent to the radicals in the several counties asking their support. The response having been favorable, North Carolina's provincial congress met on August 25 at New Bern.

Massachusetts Falls into Line. Massachusetts was slower to act. The first impetus came when Governor Thomas Gage issued election writs for a new Assembly under the revised charter. During the course of the elections in various towns the successful candidates were empowered to establish a provincial congress if they had trouble with Gage. When he refused to convene this Assembly because of "imminent danger," ninety members, on their own initiative, met on October 7, 1774, in one of the Harvard College buildings in Cambridge. Under the leadership of John Hancock, Samuel Adams, and Joseph Warren, they asserted that Gage had actually abdicated his position by violating his authority; therefore the popular representatives must safeguard the rights of the people. And behind this action was the basic theory that Parliament had no power to enact laws interfering with the internal government of any colony. One of the first actions of this provincial congress was to authorize its treasurer to collect and keep local taxes, instead of turning them over to British officials.

In South Carolina control had been in conservative hands. The expected arrival of tea ships, however, had led to mass meetings, dominated by hotter heads. Such meetings continued to be held after the tea danger was over. Then, when the Coercive Acts gave another opportunity for radical leadership, the conservatives, headed by William Henry Drayton, Arthur Middleton, and Edward Rutledge, decided in July 1774 that a more formal, though similarly extralegal, provincial congress should replace the mass meetings, on the assumption that the artisans and mechanics would fall under the influence of conservative leaders.

In New Jersey the Coercive Acts led each county to choose a committee, and each committee in turn sent delegates to a provincial congress, starting in July 1774. In Delaware, still under the Pennsylvania governor, John Penn, the radicals concluded he would not convene the Assembly. Thereupon, Caesar Rodney, a prominent radical and speaker of the Assembly, did so; on August 1 it converted itself into a provincial congress.

Because Connecticut and Rhode Island had popular governments, their assemblies were similar to provincial congresses. Georgia had a good and popular governor, James Wright, and conservative influence was still strong. News of the Port Act, however, stirred up the radicals, or "liberty people," as they were called locally. The radicals used the press to call a meeting of all patriots to protest the Parliamentary measures. But they did not succeed in gaining the upper hand, and Georgia did not follow the other colonies in 1774. In New York, where the conservatives were even stronger, no real attempt was made to establish a congress that year.

The Work of the Provincial Congresses. Some of the early provincial congresses were so hastily assembled by the radicals that no attempt was made to provide for equitable representation. Counties, the usual basis for representation, sent as many, or as few, delegates as they wished, without regard to population. In some colonies the first session was little more than a mass meeting. On the other hand, a few colonies, like Virginia, Massachusetts, and North Carolina, followed the same system used for elections to the colonial assembly; indeed, many members of the elected branch became delegates to the provincial congresses.

Despite the revolutionary character of these bodies, they were relatively cautious in their initial actions. Their major tasks were to select delegates to the Continental Congress if the regular assemblies could not or would not do so, to promise help to Massachusetts either in the form of material assistance or moral backing, and to draw up resolutions to end the importation of British goods. Generally speaking, the congresses of North Carolina, Virginia, and Maryland were ready to do more for the revolutionary cause than were the Northern groups. This was probably the result of their indebtedness to English merchants, as well as a growing opposition to British interference with their personal liberties.

These congresses were actually the start of revolutionary governments within

the individual colonies, just as the Continental Congress was the beginning on a national scale. They worked hand in hand with the Congress, particularly in support of the Association. For instance, it was generally these provincial agencies that set up local enforcement machinery for the boycott of British goods. Such machinery was known by different names in the various cities and counties, most often as the "committee of safety."

As time passed and the breach with the mother country widened, these committees became stronger and bolder. They assumed jurisdiction over county administration, and eventually replaced the royal government in towns and cities throughout America. After Lexington and Concord these committees planned local defense against possible British attack, obtaining for the purpose militia recruits and supplies of all types, and erecting breastworks and other forms of protection. Their activities did much to promote civil strife between the conservative and radical elements.

The Mecklenburg Resolves. Perhaps the most publicized actions of a local committee were the so-called Mecklenburg Resolutions, drawn up at Charlotte, North Carolina, on May 31, 1775, by the committee of Mecklenburg County. In the preamble it was stated that because the king and Parliament had declared the colonies in a state of rebellion, the local committee conceived "that all Laws and Commissions confirmed by, or derived from the Authority of the King or Parliament, are annulled and vacated, and the former civil Constitution of these Colonies for the present wholly suspended." Therefore, it was the duty of Mecklenburg County "to provide in some degree for the Exigencies . . . in the present alarming Period." The twenty resolutions sought to establish civil and military authority as a substitute for British control. One resolve stated that "all Commissions, civil and military, heretofore granted by the Crown, [are] null and void." Anyone accepting a commission thereafter from the crown was to be arrested as an enemy to his country. Each provincial congress, as directed by the Continental Congress, was to perform all legislative and executive powers within its jurisdiction. Country administration would be the task of a popularly elected body, which was to meet at least four times a year; among its specific functions were the preservation of peace and administration of justice. Nine militia companies were established in the county and authorized to obtain the necessary equipment to be ready to follow orders of the provincial congress. These resolves were to be in force until the provincial congress modified them, or until Parliament repealed its unjust measures. Although the county's actions were sent to the North Carolina delegates in the Second Continental Congress, they were never presented for consideration by that body.²

² In 1819 the *Raleigh Register* published what was referred to as the Mecklenburg Declaration of Independence, which supposedly had been drawn up by the Mecklenburg County Safety Committee on May 20, 1775, and which stated that the inhabitants asserted they were "a free and independent people, are and of right ought to be a sovereign and self-governing association under the control of no other power than that of God and the General Government of Congress." Subsequent research has failed to prove the authenticity of the May 20 "Declaration."

The Flight of Royal Governors. The development of revolutionary colonial governments was also hastened by the flight of royal governors. One of the first to leave his post was John Wentworth of New Hampshire. By December 1774 that colony was virtually dominated by the provincial militia, leaving the governor helpless. In the spring of 1775 he attempted to promote Lord North's conciliatory proposal by trying to pack the Assembly. This action helped to precipitate a general riot of local patriots, emboldened by Lexington and Concord, as well as by the preparatory acts of the Second Continental Congress. Wentworth fled in June to Fort William and Mary, which was protected by British naval guns. His flight left the radicals in practically complete control of the province.

In Virginia, Lord Dunmore was the butt of popular attack because of his continued loyalty to the crown. In the spring of 1775 he tried to seize gunpowder that the people said was theirs. He also declared Patrick Henry a traitor on the grounds that he was responsible for the local unrest. These actions were too much for the "blind and unreasoning fury" of the Virginians; Dunmore, fearing he might be taken hostage, boarded an armed British ship in the James River in June, thereby ending royal control in the Old Dominion.

The increasingly unpopular Martin of North Carolina refused to recognize the newly formed provincial congress, but his orders to the people to follow his example were not heeded. When he dissolved the Assembly in early April 1775, the furor was so great that he had to flee the capital for the refuge of Fort Johnston before the month was over.

Governor Joseph Wanton of Rhode Island, earlier an outward supporter of the popular cause, became increasingly reluctant to continue in the radical path as the crisis approached. Thus, the Rhode Islanders regarded him as a Tory and suspended him from office. Similar events in other colonies resulted in the flight or removal of nine of the thirteen governors before the end of the summer of 1775. Only James Wright of Georgia, Robert Eden of Maryland, John Penn of Pennsylvania, and William Franklin of New Jersey retained their positions, although with no authority, but even these four had departed by June 1776.

The Development of State Constitutions. As hostilities progressed, it became evident that the makeshift provincial conventions and congresses were inadequate to administer local affairs. For instance, on May 16, 1775, the Massachusetts provincial congress wrote to the Continental Congress about the "most pressing necessity to assume the reins of government," occasioned by the presence of the military that threatened to take over complete control. Such a trend would be disastrous, "as the sword should in all free states be subservient to the civil powers." But the provincial congress did not wish to proceed until the Continental Congress gave its "most explicit advice respecting the taking up and exercising the powers of civil government, which we think absolutely necessary for the salvation of our country and we shall readily submit to such a general plan as you may direct for the colonies. . . ." In answer to this request, Congress recommended to the Massachusetts extralegal body

to write letters to the inhabitants of the several places, which are intituled to representation in Assembly, requesting them to chuse such representatives, and that the Assembly, when chosen, do elect counsellors; which assembly and council should exercise the powers of Government, until a Governor, of his Majesty's appointment, will consent to govern the colony according to its charter.

Further apprehension about the situation was expressed by John Adams and Richard Henry Lee, who met frequently in Philadelphia during the fall of 1775 to discuss the possibility of converting the colonies into states with constitutional governments. On November 15 Adams, in a letter to the Virginian, suggested a number of ideas he believed should be incorporated in the proposed constitutions. The qualified voters should elect an assembly, which in turn would select an upper house. Both houses would annually choose a governor, who should have broad powers, including command of the armed forces of the state, the veto, and the power of appointment, possibly with the concurrence of the upper house.

Adams also sent to George Wythe these ideas in January 1776, as "Thoughts on Government," and they were subsequently widely published. In the same month Thomas Paine, in his *Common Sense*, likewise urged state constitutions, though his suggestions were presented in a very sketchy and poorly organized form. He proposed a unicameral legislature, with a large number of representatives selected from every part of the state and from every group. It should elect its own president and deal only with domestic matters. All of its actions were to be subject to Congressional approval. Neither the Adams nor Paine proposals met favor with leading Virginia conservatives, who published an anonymous plan in the *Virginia Gazette* early in 1776. This plan in turn found little approval among most of the radicals; Richard Henry Lee constantly referred to it as "the contemptible little tract."

The Formation of State Governments. As a result of this agitation and the tenseness of the American situation, on May 16, 1776, weeks before the motion for independence, Congress proposed that each colony should hasten to develop its own frame of government "for the preservation of internal peace, virtue and good order, and for defence of life, liberty and property." New Hampshire and South Carolina had already done so, Virginia and New Jersey complied in June, and before the end of the year a total of eight had drafted constitutions for statehood. New York and Georgia followed suit in 1777, and Massachusetts, three years later. Connecticut and Rhode Island, quite satisfied with their liberal charters of 1662 and 1663 respectively, retained them as state constitutions after eliminating all reference to England and the British crown. Of the eleven new documents, ten were solely the work of the extralegal provincial congresses. Only Massachusetts called a special convention, which then successfully submitted its completed draft to the qualified voters for approval in 1780.

The Bills of Rights. Almost every new constitution contained a bill of rights, usually drawn up separately, but ultimately printed as the first part of the docu-

ment. The most publicized, and perhaps the model for the others, was the Virginia Bill of Rights, written by George Mason and adopted by the state in June 1776. It stated "That all Men are by Nature equally free and independent, and have certain inherent Rights . . . namely, the Enjoyment of Life and Liberty, with the Means of acquiring and possessing Property, and pursuing and obtaining Happiness and Safety," and "that Magistrates are their Trustees and Servants." Among its guarantees were trial by jury, freedom of the press, and freedom of religion.

Generally speaking, the several bills of rights enumerated the rights of the people under any government—those in particular that the colonists had asserted under English laws but that had been denied them by king or Parliament. Although in the main the documents reaffirmed the ideas enunciated in the Magna Carta of 1215, the Petition of Right of 1628, and the English Bill of Rights of 1689, above all they reflected the experiences of the people. They also enunciated the political theory that government is based on the consent of the governed, and they stressed separation of the three branches of government: executive, legislative, and judicial. They upheld the political rights of the people by guaranteeing freedom of elections and frequent elections, freedom from arbitrary taxation, the supremacy of civil authority over the military, and the right of assembly. The legal rights of individuals were also emphasized: individual rights in criminal trials, trial by jury, immunity from excessive bail and from "cruel and unusual punishments," immunity from general search warrants, the right to a speedy trial, and immunity from *ex post facto* (retroactive) laws. Personal liberties of the individual were guaranteed: freedom of the press, "one of the great Bulwarks of Liberty"; freedom of conscience and religion; and the "right to bear arms for the defence of the State," while at the same time recognizing that standing armies in time of peace are "dangerous to Liberty." To many an American, the bill of rights was the most important part of a state constitution.

Differences of Opinion. These frames of government, including the bill of rights, were not adopted without a struggle within the provincial congresses, for the delegates represented different shades of political opinion and widely variant conceptions of government. Conservative Whigs, having little confidence in "popular" rule, believed that the wealthy few should dominate the new state regimes. William Hooper of North Carolina, for example, could see little good in the constitution of Pennsylvania, which he denounced as an "execrable democracy—a Beast without a head, the Mob made a second branch of the legislature." Conservatives wanted high property qualifications for voting, and even higher ones for holding office. The lower house of the state legislature should consist of representatives of the wealthy and be empowered to elect the upper house members. The governor, to be comparatively strong, should be as independent as possible of popular influence—certainly he must enjoy the veto power. He should be chosen for a long term either by the legislature or by the large property owners. The judiciary, too, should be free of public pressure;

selection for life might be the solution. In addition to Hooper, Edmund Randolph of Virginia, John Dickinson of Pennsylvania, James Iredell of North Carolina, and Alexander Hamilton and John Jay of New York were among the proponents of this conservative view.

On the other hand, the radical Whigs believed that control should be vested in the people as a whole, with rule by the majority. Therefore, qualifications for voting should be kept at a minimum. A unicameral legislature, elected annually by a broadened electorate, would be more responsive to popular will, especially if an upper house represented the privileged few. The governor, with a term of only one year and with few powers (certainly not the veto), should be elected either by the people or the popular assembly. In similar fashion, the judiciary should be not only popularly elected, but subject to removal. Advocates of this "democratic" type (Willie Jones of North Carolina referred to it as "a simple democracy") were Samuel Adams, Benjamin Franklin, and Thomas Paine. But even these men did not advocate complete universal suffrage, preferring something more like an eighteenth-century version of Winthrop's "mixed democracy."

Between these two extremes were the moderates, who opposed both rule by the many and rule by the few. Because they held the balance of power in the provincial congresses, they were able to effect compromises in the constitutions ultimately adopted. For example, they were largely responsible for the system of checks and balances and of separation of powers that made it difficult for any branch or group to become dominant; these moderates knew that too much authority would lead to corruption. Also to the moderates goes much of the credit for the inclusion of a bill of rights. To them, trial by jury, freedom of speech, and freedom of the press were not privileges to be granted by a benevolent government, they were rights inherent in the people and beyond the scope of government interference.

Although drawn up by delegates representing wide divergencies of opinion and over a four-year span, these constitutions nevertheless were strikingly similar in structure and content. Each new constitution, except for that of Pennsylvania, established a bicameral legislature. The lower house was elected by qualified voters annually, except in Connecticut and Rhode Island, where it was done semiannually, and in South Carolina, where the members had two-year terms. The upper house in eight states was elected every two years; in Delaware, every three years; in New York and Virginia, every four; in Maryland the senators enjoyed five-year terms and were elected in somewhat the same fashion as the President under the electoral college system of the United States Constitution. The frequency of election of legislative members was reminiscent of later colonial days. There were property qualifications for candidates. In New Jersey and Maryland the requirement for prospective senators was higher than elsewhere, £1,000 worth of property; for assemblymen in the same two states, £600 in property. Suffrage requirements were usually higher for the upper house. For example, in North Carolina a man had to own fifty acres of land to

vote for an upper house candidate, but all taxpayers could vote for delegates to the lower branch. As in later colonial times, the lower house usually had the greater authority; in nine states, for instance, it had the sole right to initiate money bills.

The executive was a governor in every state, with the exceptions of Pennsylvania, which set up an executive council of thirteen members, and New Hampshire, which in her first years of self-government also had a plural executive, but in 1784, under a revised constitution, followed the example of the majority. In five states the governor was elected by the whole legislature; in Delaware and Georgia, by the lower house; in New York, by voters with a free-hold of £100; in the New England states, by all the qualified voters.

To become a governor, a candidate generally had to have more property than candidates for lesser posts. South Carolina, for example, required its chief executive to own property worth at least £10,000. In nine states the governor's term was only one year, and in seven of those states his right to succeed himself was curbed in numerous ways. Nine states also denied him the veto power, and the remainder supervised that authority. In a majority of states his power of appointment was shared with the legislature, and in no state could he adjourn that body. Usually, what authority he had was restricted, or shared with an executive council or council of state appointed by the legislature. William Hooper observed that the only power the governor of his state had was "to sign a receipt for his own salary." These numerous curbs were definite reactions to the conditions of pre-Revolutionary days, when the colonists so often came into conflict with their royal governors.

Thus, a salient feature of the constitutions was a shift to legislative predominance and away from the theoretic executive supremacy of colonial days. The governor and the executive department of most states were placed under legislative control, subject to election, removal, short term of office, and restricted powers. In contrast to his colonial predecessor, a governor now had no direct control over elections, or over the time and place of legislative sessions. He had no power to summon, prorogue, or dissolve a legislature, and, in most states, no veto.

On the other hand, the governor had the authority to initiate policies and recommend measures. He had powers of pardon and reprieve. He was commander-in-chief of the military and naval forces of the state. There was also the prestige of his office as head of the state, and there were opportunities for great service by a strong executive through his personal leadership. But in these respects he had influence rather than constitutional power.

In all states the judiciary was appointed, usually by the legislature or with its approval. In a majority of states judges held office during good behavior. In Rhode Island and Connecticut, however, their terms were for a single year, in New Hampshire for five, and in New Jersey and Pennsylvania for seven.

Theoretically, there was provision for separation of powers and for checks and balances, but actually, the legislatures, with their electing and appointing

powers among others, dominated the state governments, and the lower houses were more powerful than the upper. Thus, the constitutions merely put into writing what had been the practice during the later colonial period.

These constitutions also provided for a somewhat broadened franchise, but by no means was there universal manhood suffrage. The most liberal states were Delaware, Georgia, Massachusetts, and Pennsylvania, which merely required payment of taxes, and New Hampshire, which levied only a small poll tax. New Hampshire and Pennsylvania also exempted sons of freemen from any qualifications. Most of the states, however, insisted on ownership of property (the highest requirement was an estate worth £60 or fifty acres of land) as a requisite for the franchise. Actually, then, so far as voting was concerned, the majority of the constitutions were more democratic in theory than in practice. In some states, too, non-Protestants were disqualified from officeholding.

Also associated with the question of suffrage was that of representation, which the constitutions unfortunately failed to answer. Instead of basing representation on population, they continued the practice in vogue during the colonial era, based on the town unit in New England, the county elsewhere. Consequently, the local strife between the underrepresented and less numerous back country units and the overrepresented but more numerous seaboard units carried over in more acute form into the post-Revolutionary period and indeed, in some instances, into modern times.

Pennsylvania, in addition to its one-house legislature, had a Council of Censors, popularly elected every seven years, which had a dual purpose: first, to examine the actions of both Executive Council and Assembly, and secondly, to propose amendments to the state constitution at regular intervals. This latter function was exceptional, for there were some constitutions with no provision for change. The unusual feature of New York's government was its Council of Appointment, annually elected by the legislature from its own membership, to act with the governor in making appointments. As the governor had only one voice, he could be outvoted by this Council. New York also had a Council of Revision, consisting of the governor, the chancellor—a judicial officer—and at least two supreme court justices; this agency had the right to revise measures passed by the legislature, but in turn its decisions might be overridden by a two-thirds vote of both houses.

The state constitutions commonly revealed other reactions to colonial experience. There were provisions against multiple officeholding; no one was to "hold more than one lucrative office at any one time." The move against established churches was another, and the greater interest in state supervision of education a third.³ These documents were indications that the Revolution had many ramifications.

³ See pp. 646-648.

PROGRESS TOWARD INDEPENDENCE

*

Slowly but surely, the way toward independence was being paved, particularly after the passage of the Coercive Acts and the meeting of the First Continental Congress. In England the government was dominated by a conservative element that insisted that the principles of the Declaratory Act must be upheld and that the head and center of the empire was the mother country. In the colonies the Whigs, or patriots, or radicals (as they were variously known) were gradually becoming more united and consequently, more powerful. Whereas in 1774 few of them openly advocated separation from the mother country, they were unyielding in the belief that their cause was just and that compromise or conciliation would only offer a temporary respite. To their way of thinking, England would continue to be just as arbitrary in her treatment of the colonies as she had been in the past. Thus, with opponents of reconciliation in command on both sides of the Atlantic, it was but a question of time before the break came.¹

The Second Continental Congress. The final decision of the First Continental Congress was that there should be a second meeting in May 1775 if England had not repealed the Coercive Acts in the interim. Of course, she had not done so; instead, matters had grown steadily worse since the First Continental Congress had adjourned. Several Restraining Acts had been passed by Parliament, and the conciliatory proposals of both Chatham and Burke had been rejected. Moreover, open fighting had broken out at Lexington and Concord.

It was while the furor over those battles was still rife that the Second Continental Congress opened its sessions at Philadelphia on May 10, 1775. A majority of the delegates had been selected by provincial congresses or conventions, rather than by duly constituted colonial assemblies. This was largely the result of a circular letter from Lord Dartmouth to the several colonial governors in January 1775, ordering them not to allow delegates to be named by any branch

¹ For various interpretations of the causes of the Revolution, see George A. Billias, ed., *The American Revolution: How Revolutionary Was It?* (1965); Edmund S. Morgan, ed., *The American Revolution: Two Centuries of Interpretation* (1965); and Esmond Wright, ed., *Causes and Consequences of the American Revolution* (1966).

of the royal government; a second congress, thought Dartmouth, would do much to promote the colonial unity the ministry feared. The selection by extra-legal means also reflected the fact that the various agencies established to enforce the Association had virtually supplanted the regular governments. Thus, the delegates were more inclined to the radical side than the delegates to the First Congress had been. Another advantage to the radicals was that the conservatives had not sought election, believing that the new body would do nothing to effect the reconciliation they desired. Furthermore, they claimed that the radicals had resorted to intimidation and "corrupt" methods in the elections, something to which they would not stoop.

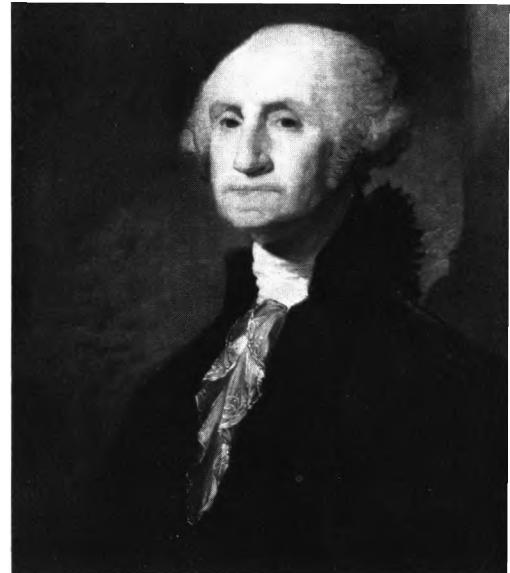
Many of the delegates to the First Congress had returned, strengthened by such newcomers as John Hancock, Benjamin Franklin, and Thomas Jefferson. The most conspicuous absentee was Joseph Galloway, who steadfastly refused to attend despite his election. That left John Dickinson as the best-known conservative holdover. Despite the radical control, both in numbers and organization, John Adams wrote, "Every step was opposed and carried by bare majorities." An innovation was the presence of a delegate from a Georgia county, unrepresented at the First Congress, Lyman Hall, who stated that his constituents were "determined faithfully to adhere to, and abide by the Determinations of him, and the other Honourable Members of the Same."

The delegates received less definite instructions than those who had attended the First Congress. In the main, they sought not only redress of American grievances, but also the restoration of harmony with the mother country. Peyton Randolph and Charles Thomson were elected president and secretary respectively, but Randolph resigned shortly because the Virginia governor called the Assembly, of which he was speaker, into session. John Hancock was chosen to succeed him. The same rules of procedure and methods of voting were adopted, along with the promise of secrecy "under the strictest obligations of honor."

The first regular business of the Second Congress was the letter from colonial agents in England telling of the rejection of the petitions of the First Congress and of the growing bitterness over the Association. Next, reports of the battles of April 19 were read, and news of the more recent capture by Ethan Allen of Fort Ticonderoga.

Defensive Preparations. A number of defensive steps were then taken. For example, military posts were authorized at Kingsbridge to help defend New York City, at the Highlands on both sides of the Hudson, and at the recently captured forts on Lake Champlain. Three thousand New York militiamen were to be armed at least until December 1. A resolution was passed to the effect that the provincial congress of Massachusetts should not obey the new royal government of that colony, and "Hostilities being actually commenced in Massachusetts bay, by the British troops under . . . Gage, . . . Resolved that . . . these colonies be immediately put into a state of defence." Twelve companies of expert "riflemen," eighty-one to a company, were to be raised in Pennsylvania, Maryland, and Virginia to form in effect the beginning of a Continental army.

George Washington. (Painting by Gilbert Stuart, Courtesy of The New-York Historical Society, New York City)



The day after, June 15, 1775, the Congress decided "That a General be appointed to command all the continental forces, raised or to be raised, for the defence of American liberty." Although John Hancock probably expected to be named commander-in-chief, the post went to George Washington by unanimous vote. This choice was excellent, for Washington was a man in whom all had confidence. Moreover, as a Southerner, he might obtain greater support from his section; as a wealthy aristocrat, he might swing others of his station to the revolutionary cause; as a moderate, still believing conciliation with the mother country possible, he might scotch the belief of other moderates that the radicals were the only ones supporting armed resistance against England. He had some military experience, although there were others, notably Charles Lee, who had more. There were some with greater intellect and more ready wit and ability; yet, Washington had the happy faculty of inspiring the confidence of others. Though he was frequently the object of criticism from many high quarters during his period as commander, his men were ready to support him through thick and thin. Generally kindly, he could be severe when necessary. No one questioned his outstanding physical courage, his unusual self-control, his sound judgment, and his high moral character. John Adams summed up the popular feeling in a letter to his wife: "I am happy that the modest and virtuous, the amiable, generous and brave George Washington" has been placed in command of the Continental forces. On June 16 Washington accepted the appointment with some misgivings:

'Tho I am truly sensible of the high Honour done me, in this Appointment, yet I feel great distress, from a consciousness that my abilities and military experience may not be equal to the extensive and important Trust: However, as the Congress desire it, I will enter upon the momentous duty, and exert every power I possess in their service, and for the support of the glorious cause. I beg they will accept my most cordial thanks for this distinguished testimony of their approbation.'

But, lest some unlucky event should happen, unfavourable to my reputation, I beg it

may be remembered, by every Gentleman in the room, that I, this day, declare with the utmost sincerity, I do not think myself equal to the Command I am honored with. . . .

Shortly after, four men—Artemas Ward, Charles Lee, Philip Schuyler, and Israel Putnam—were named major generals, and eight given the rank of brigadier general. Other ranking officers were also selected, and the pay for each rank determined (see Chapter 34). Before the session was over, provision was likewise made for a coast guard, for a marine force, for a navy, and for the issuance of letters of marque and reprisal for privateers. Furthermore, the Congress urged the colonies to obtain Indian allies, particularly if British agents stirred up the tribes against the Americans. To formulate such alliances, several commissioners of Indian affairs were named. Still another defensive move was the suggestion that the several provinces collect as many military supplies as possible, especially gunpowder, saltpeter, sulphur, and brimstone, and that their manufacture be started wherever feasible. Stores of flour should likewise be procured. Provision was made for a hospital adequate for an army of at least twenty thousand men, as well as for a post office under the competent supervision of Benjamin Franklin.

Retaliatory steps were also taken. On May 17, 1775, the Congress resolved that no exports be sent to most of British America and that "no provisions of any kind, or other necessaries be furnished to the British Fisheries on the American coasts." Then, on September 10 the second phase of the Association, the nonexport provision, was declared in effect because Parliament had not rescinded the Coercive Acts. Meantime, on July 31, as a result of the request of New Jersey, the North plan for conciliation was considered and definitely rejected as a "ministerial sentence of death."

The Quest for Money. Naturally, money was required for the army and other defense purposes, Gouverneur Morris came forward with three alternative proposals for raising the necessary funds. After three weeks of discussion, during the course of which the colonies were spending money on their troops and were bombarding the Congress with queries as to whether it would underwrite their notes, the Congress decided on July 22, 1775, "That a sum not exceeding two millions of Spanish milled dollars be emitted by the Congress in bills of Credit, for the Defence of America," and "That the twelve confederated colonies be pledged for the redemption of the bills of credit." Immediate requests for this Continental currency poured in, headed by those of the New Yorkers pleading, "For God's sake, send us money, send us arms, send us ammunition." John Adams predicted what would follow when he wrote, "We . . . must, I suppose vote to issue a great deal more."

The Olive Branch Petition. Despite Parliament's rejection of conciliation unless the colonies accepted Lord North's plan, the Second Continental Congress did not take an equally uncompromising stance in the summer of 1775. Although a general feeling of animosity was provoked by recent Parliamentary

acts, many influential delegates desired to restore harmony with England. Consequently, on June 3 a committee headed by John Dickinson was appointed to draw up a petition of loyalty to the king. The document, completed before the end of June, stressed the mutually friendly and profitable relations between mother country and colonies prior to 1763. Since then, however, a series of arbitrary measures by Parliament had promoted "the most painful fears and jealousies" in the colonies and were considered worse than the French menace. Efforts to enforce these laws, which were detrimental to imperial wealth and trade, had incited the colonists to arms in defense of their rights as Englishmen, a result extremely distasteful to the still loyal American subjects of the king. Would it not be possible for George III to do something to prevent the trouble from increasing and to restore peace "upon so firm a basis as to perpetuate its blessings, uninterrupted by any future dissents, to succeeding generations in both countries"? The colonies, though suffering at the hands of the arbitrary Parliament, so loved the mother country that they wanted no peace detrimental to her prestige or general welfare. They sought only to remove the "apprehensions" that oppressed "their hearts with unspeakable grief."

Because the whole petition was couched in the most loyal terms, it has been called the Olive Branch Petition. So humble was it that the disgusted John Adams referred to it as a "measure of imbecility." Yet, it aimed at compromise, not war. There was nothing in it blaming the king, nothing advocating rebellion or revolution. Every paragraph emphasized the colonial desire to remain within the empire, but colonial grievances must be removed or alleviated. The only rights asserted were those of Englishmen. After some debate, mostly favorable, forty-six members signed it on July 8; just about a year later twenty-five of them affixed their signatures to the Declaration of Independence.

The Declaration of Causes for Taking up Arms. Unfortunately for the cause of conciliation, the Congress also drew up on July 6 "A Declaration setting forth the Causes and Necessity of their taking up Arms," composed by a committee headed by Dickinson and Jefferson. This cited the change in British policy toward America since 1763, as shown by the long list of grievous acts passed by Parliament. In addition, General Gage had made unprovoked attacks upon the American people, and General Guy Carleton was attempting to stir up Indians in Canada against English citizens. Moreover, colonial remonstrances to the king had gone unheeded. The Declaration then defied the British army and navy, confident that "Our cause is just. Our union is perfect . . . and with our [one] mind resolved to dye Free-men rather than live Slaves." The document stated that Parliament was "stimulated by an inordinate passion for a power, not only unjustifiable," but which it knew "to be peculiarly reprobated by the very constitution" of England. In spite of all these grievances, the colonies were not seeking independence; they were fighting simply to obtain and maintain their rights as Englishmen. They would not lay down their arms until the aggressors had ceased their hostilities. The Declaration concluded with an appeal to God "to protect us happily through this great conflict, to dispose our

adversaries to reconciliation on reasonable terms, and thereby to relieve the empire from the calamities of civil war."

Like the First Congress, the Second also drew up addresses to the peoples of other parts of the empire in an attempt to obtain moral support for its stand. The appeal to the Canadians declared that the real issue was that of religious toleration, and that the futures of Catholic Canada and Protestant America were closely linked. "Since the conclusion of the late war, we have been happy in considering you as fellow-subjects," stated this appeal, "and from the commencement of the present plan for subjugating the continent, we have viewed you as fellow-sufferers with us." Therefore, the Canadians were cordially invited to join the opposition to the arbitrary actions of Parliament, so that its "present form of tyranny" might be ended.

The address to the inhabitants of Great Britain stated that a permanent union with the mother country was desired by America on grounds of equal liberty, "less than which generous minds would not offer, nor brave and free ones be willing to receive." There was also the implication that the colonists were fighting the cause of all Englishmen. In writing to the people of Ireland, emphasis was placed upon the draining of Irish wealth for the benefit of English landlords, upon the various wrongs inflicted on that island, and upon the numerous advantages of the New World as a refuge for downtrodden peoples. The insolent actions of the British ministry were the theme of the address to the people of Jamaica, who were urged to support the American cause to improve their own lot.

The Proclamation of Rebellion. The Olive Branch Petition, together with other remonstrances and declarations of the Second Continental Congress, was sent to England to be presented to the king by the colonial agents. On the very day that those agents had a conference scheduled with Lord Dartmouth, secretary of state for the colonies, however, George III took a step that definitely frustrated the Congressional hope for conciliation. Following the advice of several ministry leaders that it would be dangerous "to give ear to any propositions" for peace until the colonies had been made to suffer for their rebellion, the king refused to receive the Olive Branch. Instead, on August 23, 1775, he published a Proclamation for Suppressing Rebellion and Sedition, which ordered all royal civil and military officers to use their utmost power to end the troubles in America, and urged all loyal subjects to cooperate with them in every way. The king justified his proclamation and his refusal to accept the Olive Branch with the argument that the latter was merely a cloak to cover the growth of colonial rebellion. And he had reason to believe the Olive Branch was insincere. Several battles had been fought, and a Continental army formed. Certainly, such acts were evidence enough to him that the colonists meant business. Furthermore, the Declaration of Causes and Necessity of Taking up Arms seemed inconsistent with the conciliatory petition.

The reception of the royal proclamation in America was unfavorable. Many colonial newspapers published the whole story to show that England was op-

posed to granting any American wishes. If the rebellion continued, Great Britain must bear the responsibility. On December 4, 1775, the Congress resolved that it would be "very dangerous to the liberties and welfare of America if any colony should separately petition the king or either House of Parliament," and two days later declared that "whatever punishment shall be inflicted upon any person in the power of our enemies for favoring, aiding or abetting the cause of American liberty, shall be retaliated in the same kind, and in the same degree, upon those in our power," who helped the "system of ministerial oppression." Such a position was taken, concluded the Congress, not "to multiply punishments," but "to prevent them."

The Olive Branch Petition was the last united colonial effort to effect conciliation with the mother country. Up to the time of its rejection, there was still hope for amicable settlement of the issues, with the result that the colonies would remain within the empire. There is little doubt that the majority of Americans would have terminated their resistance had they been given the rights they sought. Nor is there reason to believe that the Olive Branch was an act of hypocrisy, designed to lull the English government into a feeling of false security while the Revolution was gaining headway in the colonies. It was a truly honest effort for peace.

The rejection of this petition was a bitter blow to those Americans, still in the majority, who wanted harmony restored. One of the last obstacles to independence had now been cleared. John Dickinson, author of the Olive Branch, wrote many years later that from the time the news of its rejection reached America, "not a syllable was ever uttered in favor of reconciliation with Great Britain," and this statement was written by one who held out longest for reconciliation. Benjamin Franklin wrote to one of his friends in Parliament, "If you flatter yourselves with beating us into submission, you know neither the people nor the country. The Congress . . . will wait the result of their *last* petition."

The Prohibitory Act. The various appeals the Congress made to the several parts of the empire and the growing bitterness in America over the royal Proclamation for Suppressing Rebellion and the rejection of the Olive Branch may have led George III to believe that the colonists were seriously planning to stir up the whole empire against him. Consequently, he devoted most of his speech to Parliament on October 26, 1775, to the critical conditions overseas. Revolt was now open, he said. Not only were the colonists waging war against British troops, but they were usurping royal executive, legislative, and judicial authority. Such actions had compelled hitherto loyal colonists to acquiesce in rebellion. Although previously he had declared only Massachusetts to be in revolt, it was now apparent that the rebellion was general. England's answer must be a show of force, yet he was ready to receive the colonists back in his good graces when they perceived the error of their ways.

The Parliamentary answer to the king's proposal for coercive action was the Prohibitory Act of December 1775, passed only after long debate. This measure prohibited all imperial commercial intercourse with the rebellious colonies.

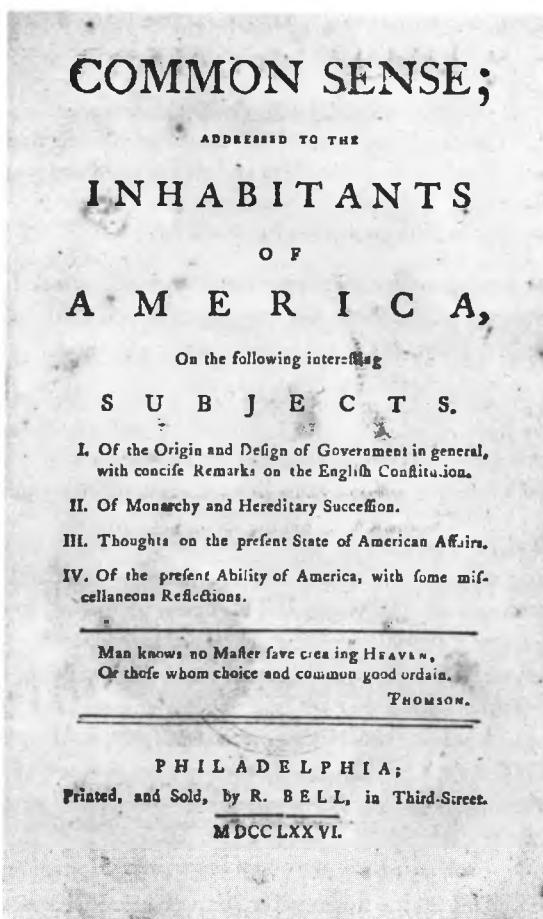
Colonial ships were subject to capture, and their cargoes were to be lawful prizes. Because the king had declared the provinces in rebellion, the act also replaced civil government in America with military rule. But it still held out the offer of reconciliation: if any colony, county, town, port, or district should forego rebellion and demonstrate its loyalty, agents or commissioners specifically appointed by the crown might declare such a region at the king's peace, and the prohibitory features would be removed.

If the North ministry, which sponsored the Prohibitory Act, expected America to take advantage of the conciliatory clause, it was sadly mistaken. Instead, just as the English opponents of the measure had predicted, the Americans began to talk more openly of independence, and held Britain alone responsible. John Adams wrote, "By an act of Parliament, we are put out of the Royal protection and consequently discharged from our allegiance and it has become necessary to assume government for our immediate security." To Elias Boudinot the act gave peace of mind. A colonial official, he had taken an oath of allegiance to the crown. When rebellion had started, he had wanted to side with his fellow Americans, but his conscience had not allowed him to break that oath until he learned about the Prohibitory Act. These were by no means isolated sentiments; they were uttered in every colony by members of every class.

Opposition to the Prohibitory Act was not limited to personal sentiments. On March 23, 1776, the Congress passed resolutions opening American ports to the trade of all countries except those under British domination, and declaring that all British commerce was legal prey for American ships of war and privateers. Then, on May 6 it virtually rejected the possibility of receiving the royal commissioners appointed under the Prohibitory Act. Between November 1775 and the receipt of the news of the passage of the act, several colonies had gone on record in favor of conciliation. The first to do so was Pennsylvania, largely through Dickinson's efforts. The New Jersey Assembly stated that its delegates to Congress should not "give their assent to, but utterly reject, any propositions, if such should be made, that may separate this colony from the Mother Country, or change the form of government thereof." Maryland, New York, and Delaware, together with several towns in various parts of America, uttered similar views. Yet, as the colonies learned of the Prohibitory Act and of the growth of the independence movement elsewhere, they gradually—but only gradually—changed their minds.

Common Sense. While the colonies were denouncing the Prohibitory Act, there came from the presses a pamphlet that was also to contribute to the movement toward independence. Late in 1774 the author, Thomas Paine, had arrived in America from England, where he had failed in virtually everything he had attempted. He had, however, met Benjamin Franklin, from whom he obtained a letter of introduction characterizing him as "an ingenious, worthy young man," who might do well as a "clerk, or assistant tutor in a school, or assistant surveyor." Paine found employment in Philadelphia with the printer Robert Aitken, and soon was promoted to the editorship of the *Pennsylvania*

Title page of *Common Sense*, 1776. (Courtesy of the Library of Congress)



Magazine. Not particularly loyal to England because of real or fancied mistreatment there, Paine spent his spare time writing in support of the colonial cause. He showed his articles to David Rittenhouse and Dr. Benjamin Rush, two prominent Philadelphia radicals, who persuaded him to publish them. In January 1776 they appeared anonymously under the title *Common Sense*.

Written in a style the average colonist could easily understand, employing all sorts of invective, and making an appeal on political, religious, and economic grounds, *Common Sense* was the first outspoken demand for complete independence. It opened by denouncing all hereditary monarchies, and the British in particular. "In short," it said, "monarchy and hereditary succession have laid (not this or that kingdom only) but the world in blood and ashes. 'Tis a form of government which the word of God bears testimony against, and blood will attend it." Paine was most critical also of the British aristocracy who exploited the lower classes in both England and America.

Then, the author showed the advantages of a complete break from the

mother country. An independent America might become an asylum for oppressed peoples from all parts of Europe.

O! ye that love mankind! Ye that dare oppose not only the tyranny but the tyrant, stand forth! Every spot of the world is overrun with oppression. Freedom hath been hunted round the globe. Asia and Africa have long expelled her. Europe regards her like a stranger, and England hath given her warning to depart. O! receive the fugitive, and prepare in time an asylum for mankind.

An independent America could remain apart from the bloody wars in which Europe was constantly engaged. It could reap enormous profits from worldwide markets if freed from British regulations.

A government of our own is our natural right: and when a man seriously reflects on the precariousness of human affairs, he will become convinced, that it is infinitely wiser and saner, to form a Constitution of our own in a cool deliberate manner, while we have it in our power, than to trust such an interesting event to time and chance.

It should be easy to cast off the British yoke. “ ‘Tis not in numbers but in unity that our great strength lies; yet our present numbers are sufficient to repel the forces of all the world.” The colonies had everything needed for an army and a navy. “I challenge the warmest advocate for reconciliation to show a single advantage that this continent can reap by being connected with Great Britain.”

Paine concluded by urging Whigs and Tories to forget their differences to support the “RIGHTS of MANKIND, and of the FREE AND INDEPENDENT STATES OF AMERICA.” He insisted that “Every thing that is right or reasonable pleads for separation. The blood of the slain, the weeping voice of nature cries, ‘TIS TIME TO PART.”

Appearing at a time when the colonists were gravely aroused, *Common Sense* made a greater impression than it would have normally. It contained no new arguments and was sometimes inconsistent, but it fell on fertile ground. Some one hundred thousand copies are said to have been sold in the spring of 1776, and other estimates run as high as half a million. Two months after the pamphlet appeared, George Washington wrote, “I find that ‘Common Sense’ is working a powerful change . . . in the minds of many men.” And the *Constitutional Gazette* of February 24, 1776, asserted, “This animated piece dispells, with irresistible energy, the prejudice of the mind against the doctrine of independence, and pours in upon it such an inundation of light and truth, as will produce an instantaneous and marvellous change in the temper—in the views and feeling of an American.” On the other hand, John Adams, who was suspected at first of being the author of the pamphlet, subsequently denounced *Common Sense* as “a poor, ignorant, malicious, short-sighted, crapulous mass,” and Paine as a man of questionable veracity who was more interested in tearing down than building up. He frequently referred to Paine as “that insolent blasphemер of things sacred, and transcendant libeller of all that is sacred.”

Despite the difference of opinion, *Common Sense*, along with the Prohibitory Act, the rejection of the Olive Branch Petition, the development of provincial

to tried. Your Committee are of Opinion that the House should enter into the following Resolve, to wit

Resolved that the Delegates for this Colony in the Continental Congress be empowered to concuer with the Delegates of the other Colonies in declaring Independence, and forming foreign Alliances, reserving to this Colony the Sole and Exclusive right of forming a Constitution and Laws for this Colony, and of appointing Delegates from time to time (under the direction of a general Representation thereof) to meet the Delegates of the other Colonies for such Purposes as shall be hereafter pointed out.

The Congress taking the same into Consideration unanimously concurred therewith.

The Order of the Day being read for taking into Consideration the Nomination and appointment of Military Officers Ordered that the same be deferred till to morrow.

Mr. Neetham Bryan one of the Delegates for Johnston County, Mr. Joseph Williams, Mr. Joseph Winston and Mr. Charles Gordon three of the Delegates for Surry County appeared and took their Seats.

The Halifax, North Carolina, Resolves, April 12, 1776. The first official action for independence. (Courtesy of the University of North Carolina Library)

congresses, and the fact that military hostilities had already commenced, contributed to the growing belief that the only solution to American problems was freedom from Great Britain.

Steps Toward Independence. The first definite step toward independence was taken by the provincial congress of North Carolina, elected early in April 1776, when the radicals were still elated over their victory at Moore's Creek Bridge.² Under the leadership of Cornelius Harnett, Richard Caswell, and William Hooper, that assembly, meeting at Halifax, unanimously endorsed the following resolution on April 12:

² See pp. 596-597.

That the Delegates of this Colony in the Continental Congress be empowered to concur with the Delegates of the other Colonies in declaring Independence, and forming foreign alliances, reserving to this Colony the sole and exclusive right of forming a Constitution and Laws for this Colony, and of appointing Delegates, from time to time (under the direction of a general representation thereof), to meet the Delegates of the other Colonies for such purposes as shall be hereafter pointed out.

Then, on May 4 the Rhode Island Assembly authorized its Congressional delegates to participate in any discussions for "promoting the strictest union and confederation" among the several colonies. At the same time, it ordered that all commissions, court orders, and the like be issued henceforth in the name of the governor, not of the king. These actions were radical triumphs, for there were many Rhode Islanders strongly attached to the crown and perfectly satisfied with their own form of liberal government. Though the authorization to the delegates did not specifically state that they could vote for independence, Governor Nicholas Cooke told them they were free to do so.

Next, the Massachusetts Assembly approved a decision on May 10 that town meetings throughout the colony should determine whether their representatives in the Congress ought to support independence. Those meetings, held throughout May and June, voted overwhelmingly in the affirmative. This gave considerable satisfaction to a well-known radical, Joseph Hawley, who wrote, "Independency and a well-planned continental government will save us."

The greatest victory for the advocates of independence was gained in Virginia, where as late as March 1776 there had been widespread opposition. The newly elected convention, however, was dominated by such men as George Mason, James Madison, Edmund Pendleton, and Patrick Henry, who on May 15 took advantage of the turn in the tide of local opinion to obtain unanimous endorsement of this resolution:

That the delegates appointed to represent this colony in general congress be instructed to propose to that respectable body to declare the United Colonies free and independent states, absolved from all allegiance to, or dependence upon, the crown or parliament of Great Britain. . . .

This action was well received by the people of Virginia, as indicated by the enthusiastic salutes, the ringing of bells, and the substitution of "the Union Flag of the American States" for the Union Jack. It also helped to sway hesitant opinion in other colonies.

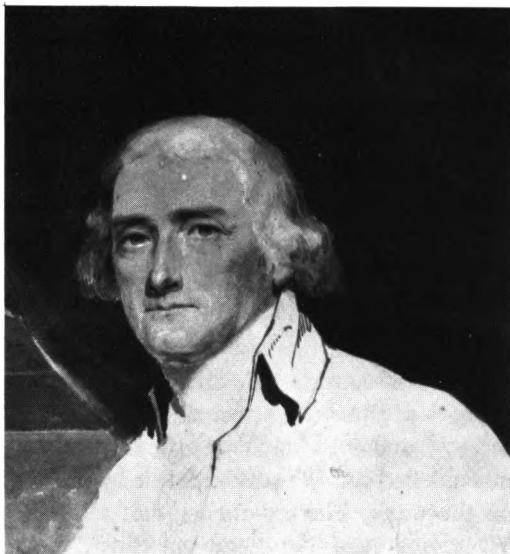
The following day the Second Continental Congress, after acrimonious debate, decided that all forms of British authority in America should be terminated. In addition, each colony should promptly draw up a constitution.

independ.

The Lee Resolution. Some three weeks later, on June 7, 1776, Congress heard the famous resolution submitted by Richard Henry Lee on instruction from his home convention:

That these United Colonies are, and of right ought to be, free and independent states, that they are absolved from all allegiance to the British Crown, and that all political

Thomas Jefferson. (Watercolor by Robert Field, Courtesy of The New-York Historical Society, New York City)



connection between them and the State of Great Britain is, and ought to be, totally dissolved; that it is expedient forthwith to take the most effectual measures for forming foreign Alliances; and that a plan of confederation be prepared, and transmitted to the respective colonies for their consideration and approbation.

This motion was immediately seconded by John Adams.

A long and animated debate on the resolution began the next day. Adams and Lee, along with George Wythe of Virginia, were its principal supporters; John Dickinson, James Wilson of Pennsylvania, Robert Livingston of New York, and Edward Rutledge of South Carolina voiced the opinions of the opposition. Their greatest argument was that the time was not ripe—England would still yield to colonial demands. On June 10 Rutledge moved a postponement of three weeks. The advocates of independence agreed, so that they could use the respite to win over the colonies still hesitant, so that delegates without instructions could ascertain the wishes of their constituents, and so that they could begin formulating plans for the confederation to be substituted for English rule in America. The motion for postponement was carried by a vote of seven colonies to five, after an amendment was added that a committee, consisting of John Adams, Benjamin Franklin, Thomas Jefferson, Robert R. Livingston, and Roger Sherman, prepare a declaration to support the Lee resolution for independence.

A Divided America. During the three weeks' postponement the different points of view concerning the proper course of action were vigorously expressed by their proponents. Conservatives—known variously as “royalists,” “king’s men,” and even “dam rascals” by their Whig opponents, but more frequently as Tories and Loyalists—were not in full sympathy with everything the king or Parliament did. Indeed, many of them had been responsible for the initial agi-

tation against the Sugar Act and the Stamp Act. Yet, they much preferred to have the colonies under the control of England, even though she was sometimes arbitrary, than under the domination of untrained, unskilled "mobs" of Americans. Then, there were the so-called moderates, or neutrals, who hesitated between continued British domination and independence. Many of them, if they had let their hearts speak, would have been happier with the *status quo*; they were fearful, however, of the wrath of their Whig neighbors, whose vengeance they frequently saw vented against outright Tories, and so they held their peace by trying to remain on the fence. The third group, the Whigs or radicals or patriots, was created by the growing dislike of English actions culminating in the decision that the best solution was to break away from the mother country.

There is considerable difference of opinion as to the relative numerical strength of these three groups. Certainly, the Tories were in the majority as late as 1775, and even the most ardent Whigs were careful to avoid mention of independence before that time. But by the end of June 1776 the Tory cause was on the wane. The old theory that after independence America was one-third Whig, one-third Tory, and one-third "mongrel" has lost ground; more recent studies of the Revolution have concluded that the Tories formed much less than a third of the population.

The Tories or Loyalists were not uniformly distributed throughout the different colonies. The fewest were to be found in New England and Virginia; they probably formed a majority of the population in both Georgia and South Carolina; they may have been in the majority in New York, where they certainly equaled the Whigs numerically; they were very numerous in North Carolina, especially among the Scots of the Cape Fear Valley and among the Regulators of the back country. In the remaining areas their strength varied in direct proportion to the proximity of the British army.

Every rank and class of American society contributed to the Tory group. Generally speaking, however, those who held positions under the crown remained loyal to the mother country; among them were Thomas Hutchinson of Massachusetts and the Colden and Johnson families of New York. The same thing might be said of the Anglican clergy—ministers like Samuel Seabury and Myles Cooper—who had a double tie of loyalty to England, yet at the same time, a few Anglican clerics of Virginia and "Parson" Charles Pettigrew of North Carolina, a former S.P.G. missionary, became ardent Whigs. The great majority of the members of the Church of England cast their lot with the royalist cause when a final decision had to be made. The wealthier and more influential members of the legal profession, such as Daniel Leonard of Massachusetts, Joseph Galloway of Pennsylvania, and William Smith of New York, who were interested in law and order and disliked the thought of chaos attendant upon rebellion, were to be found in the Loyalist camp, but on the other side of the fence there were John Adams, James Duane, and John Jay. Some of the prominent doctors, like Alexander Garden of South Carolina and Samuel Bard of New York, remained loyal, although John Morgan, William Shippen, and Benjamin Rush all became Whigs. Prominent and wealthy merchants were gen-

erally "king's men," among them the Chandlers of Worcester, Isaac Low of New York, and the Whartons of Philadelphia, but John Hancock, Philip Livingston, and Henry Laurens went forward with the patriots. Owners of huge estates in the North, like the Phillipses of New York, who owed their grants to royal favor, were normally listed with the Loyalists, yet Philip Schuyler was a Whig. On the other hand, plantation owners of the South who were not Whigs were the exception, for the general belief among them was that separation would result in cancellation of their financial obligations to English factors.

Outside of the Anglicans, religious sects were divided. Congregationalists, Presbyterians, and Baptists were usually Whig; the Methodists were principally on the other side. The Dutch and German congregations were in both camps. It is difficult to tell where the Catholics, few in number, stood, but an outstanding cleric, Father John Carroll of Maryland, favored independence. Educators were probably influenced by local opinion and their religious affiliation; at any event, William Smith of Philadelphia was a Tory, John Witherspoon of New Jersey, a Whig.

Colonial feuds played a part in the decision of some Americans. For instance, in New York the DeLanceys were at odds with the Livingstons, so when the latter took up the cause of independence, the DeLanceys supported the crown. Families were divided: Benjamin Franklin was a patriot, his natural son William, a Tory; Edmund Randolph of Virginia was a Whig, his father, a Loyalist; William Hooper of North Carolina, a Whig, his brother, an active Tory leader.

The Declaration of Independence. Debate on the Lee resolution was resumed on July 1, with John Adams again the foremost proponent and Dickinson leading the opposition. On the first test of strength only nine delegations were firmly aligned in favor of independence. The radicals thereupon redoubled their efforts, and on the following day, when the formal vote was taken, unanimous approval was given by the twelve colonies participating. Pennsylvania, whose delegation had been opposed the day before by a vote of four to three, was swung over when both Dickinson and Robert Morris were persuaded to absent themselves. Delaware's two delegates present had previously been divided on the issue, but Caesar Rodney was hastily called from his home to bring that colony's vote into the independence camp. The South Carolinians, at first opposed, changed their minds because they had been instructed to join the other colonies in support of those measures that would best help both the colony and America. As all the other provinces now favored breaking away from Britain, South Carolina's vote would make the cause unanimous. Only the New York delegates were excused from voting, and this because John Jay wanted the voters of his colony to voice their opinion through their selection of members to the provincial assembly. On July 2 the results of that election were not yet known; a week later, however, New York went along with the rest.

Then came consideration of the supporting declaration, which the special committee had already completed. Thomas Jefferson was principally responsible

IN CONGRESS, July 4, 1776.

A DECLARATION

By the REPRESENTATIVES of the
UNITED STATES OF AMERICA,
IN GENERAL CONGRESS ASSEMBLED.

WHEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them; a decent Respect to the Opinions of Mankind requires, that they should declare the Causes which impel them to the Separation. We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. — That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed; that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation in such Principles, and organizing its Powers in such Form, as to them shall seem most likely to effect their Safety and Happiness. — Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms in which they are accoustomed. — But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinced, as a Design to reduce them under absolute Despotism, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. — Such has been the patient Sufferance of these Colonies; and such is now the Necessity which confronts them with their former Systems of Government. — The History of the present King of Great Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establisment of an absolute Tyranny over these States. — To prove this, let Facts be submitted to a candid World.

He has refused his Assent to Laws, the most wholesome and necessary for the public Good.

He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, has iterty neglected to attend to them.

He has refused to pass other Laws for the Accommodation of large Districts of People, unless those People would relinquish the Right of Representation in the Legislature, a Right inseparable from them, and formidable to a Tyrant only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of fatiguing them with Compliance with his Measures.

He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

He has refused for a long Time, after such Dissolutions, to cause others to be elected, whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; and the State remaining in the mean time exposed to all the Dangers of Invasion from without, and Coercion within.

He has endeavoured to prevent the Population of these States, for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; given his Assent to their

Acts of pretended Legislation:

For quartering Large Bodies of armed Troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all Parts of the World:

For depriving us, in many Cases, of the Benefit of Trial by Jury:

For depriving us, in many Cases, to be tried for Extraded Offences:

For abolishing the free System of English Law in a neighboring Province, establishing therein an arbitrary Government, and enlarging its Boundaries, so as to render it at once an Example and Instrument for introducing the same absolute Rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

He is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation and Tyranny, already begun with Circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.

He has excited Domestic Insurrections amongst us, and has endeavoured to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose Known Rule of Warfare, is an undistinguished Destruction of all Ages, Sexes and Conditions.

In every Stage of these Oppressions we have petitioned for Redress, in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every Act which may define a Tyrant, is unfit to be the Ruler of a free People.

Nor have we been wanting in Attention to our British Brethren. We have warned them from Time to Time of Attempts by their Legislature to extend an unwarrantable Jurisdiction over us. We have reminded them of the Circumstances of our Emigration and Settlement here. We have appealed to their native Justice and Magnanimity, and we have conjured them by the Ties of our common Kindred to disown these Usurpations, which would inevitably interrupt our Connections and Correspondence. They too have been deaf to the Voice of Justice and of Consanguinity. We must, therefore, acquiesce in the Necessity which denounces our Separation, and cordially wish all, as we hold the rest of Mankind, Enemies in War, in Peace, Friends.

We, therefore, the Representatives of the UNITED STATES OF AMERICA, in GENERAL CONGRESS ASSEMBLED, appealing to the Supreme Judge of the World for the Rejudicature of our Intentions, do, in the Name and by the Authority of the good People of these Colonies, solemnly Publish and Declare, That these United Colonies are, and of Right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great-Britain, is, and ought to be totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of right do. And for the Support of this Declaration, with a firm Reliance on the Protection of divine Providence we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed by ORDER and in BEHALF of the CONGRESS,

JOHN HANCOCK, President.

ATTEST.
CHARLES THOMSON, SECRETARY.

NEW-YORK: Printed by HUGH GAINES, in Hanover-Square.

for the final draft, using only a few suggestions made by Adams and Franklin. This Declaration of Independence contained three major parts. One was a repetition of the Lee resolution. A second was the preamble that stated some of the natural rights formulated by John Locke and others about a century earlier. Among the most important were that "all men are created equal, that they are endowed by their Creator with certain inalienable Rights; that among these are life, liberty, and the pursuit of happiness." This statement was markedly similar to the first article of the Virginia Bill of Rights, written by George Mason and adopted on June 12, 1776. Then, continued the Declaration, because those rights were withheld by the British government, "it is the right of the people to alter or abolish it, and to institute a new government." Thus, an effort was made by the committee to create a legal and moral foundation for the complete break with England.

The third part contained the "facts" that caused the Declaration to be issued. These consisted of some twenty-eight grievances generally indicting George III, head of the government from which the colonies were declaring their independence, for "repeated injuries and usurpations." Some of these charges were groundless; others were impossible to prove. There were numerous generalities, partisanship was too much in evidence, and the natural rights philosophy was later discredited. Little was new in the series of statements, except that the emphasis was shifted from Parliament—mentioned indirectly only twice—to the king. Indeed, John Adams wrote that "there is not an idea in it but what had been hackneyed in Congress for two years before." Yet, the whole attack helped to accomplish its objective: to unite the American people more effectively against Great Britain. In this document, perhaps the most skillful piece of propaganda produced during the Revolution, Jefferson later stated the committee's intention was:

Not to find new principles, or new arguments, never thought of, not merely to say things which had never been said before; but to place before mankind the common sense of the subject, in terms so plain and firm as to command their assent . . . it was intended to be an expression of the American mind. . . . All its authority rests then on the harmonizing sentiments of the day, whether expressed in conversation, in letters, printed essays, or the elementary books of public rights, as Aristotle, Cicero, Locke, Sidney, etc. . . .

After two days of discussion, in which the Congress made a few deletions (one removed any "censure on the English peoples," and another withdrew the indictment of the king for forcing African slavery on the colonies) the Declaration was approved on July 4, with New York making it unanimous five days later. In consequence of the adoption of the Lee resolution and this accompanying Declaration, the thirteen colonies proclaimed that they were free and independent, with "full power to levy war, conclude peace, contract alliances, establish commerce and to do all other acts and things which independent states may of right do."

This pronouncement of independence had important political effects on the



Pulling down the statue of George III in Bowling Green, New York City, on July 9, 1776. (Courtesy of The New-York Historical Society, New York City)

new United States. It was a distinct triumph for the radicals or Whigs, who had been largely responsible for bringing it about. Originally a distinct minority, they had taken advantage of every mistake of the British ministry and Parliament to whip up increasing colonial support for their position. By able propaganda, effective appeal to the masses, confident use of the Sons of Liberty and committees of correspondence, extraordinary organizing ability, and capable use of the weapons fashioned by the failure of both sides to yield to the olive branch offers of the other, this energetic minority gradually became a majority. Once that dominating position had been achieved, it was only a matter of time before the final break with Britain occurred, but there was no precipitous rush to reach this point.

Independence was a terrible blow to the conservatives or Tories. Now that the die was cast, they felt they must remain loyal to king and country, but by so doing, they became traitors and enemies in the eyes of their former friends and neighbors. Henceforth, they became known generally as Loyalists. This widened breach helped to make the Revolution a civil war as well as a struggle to end imperial control. Independence was also a sharp blow to the moderate element. No longer could the members hope for reconciliation with England. They must now make their choice between going ahead with the Whigs or staying behind with the Loyalists. Some of them tried to remain on the fence, professing support for the United States when Continental armies were near and for England

in the presence of British troops. The majority, however, honestly chose the cause of independence; party lines, as a result, were more clearly drawn.

Signing the Declaration. The Declaration of Independence was not signed immediately. On July 19 the Congress resolved:

That the Declaration passed on the 4th, be fairly engrossed on parchment with the title and stile of "The unanimous Declaration of the thirteen united States of America" and that the same, when engrossed, be signed by every member of Congress.

The engrossed parchment was ready by August 2 and the formal signing then began. Some who had been absent on July 4³ were allowed to place their signatures on the document, as were five delegates from Pennsylvania who had not been members on the earlier date, and the New York delegation, which had not been authorized to vote at that time. Because some were absent on August 2, actually it was not until 1781 that the last of the fifty-six signatures was affixed to the Declaration of Independence.

The Howe Commission. Perhaps the Declaration of Independence was made none too soon, for even while it was being debated, Lord Richard Howe was sailing to New York with a new olive branch, which might have been accepted by the numerous Americans still not ready for separation from the empire. It may be recalled that the Prohibitory Act of 1775 had provided for the appointment of English commissioners to offer conciliatory terms to the colonists. The king did not name the Howe brothers for this task until the spring of 1776, and their instructions were not ready until May 1. Under these instructions, the Howes must insist that all American congresses, committees, and other extra-legal bodies be ended and the legal colonial governments restored before the provinces could be returned to the king's peace. Secondly, all troops under the command of illegal governments must be disbanded. Thirdly, the legal assembly in each colony must convene and show the king that it had no revolutionary tendencies and would remain loyal in the future. One important indication of such loyalty would be the promise to contribute financially to the crown according to Lord North's proposal of February 1775. In return for such a grant, Parliament would no longer tax the colony, and the commissioners would remove the trade restrictions of the Restraining Acts. Before Connecticut and Rhode Island could be fully restored to grace, however, they must agree to have their governors appointed by the crown and their laws subject to disallowance by the Privy Council. The royal commissioners could assure the colonies that the king was ready to revise the laws to which Americans objected. Individuals who took an oath of allegiance to the crown would be pardoned. Even the king did not have much faith in this conciliatory effort, as he told Lord North, "I have always feared a commission not likely to meet with success."

Lord Howe first used his authority on June 20, 1776, when his ship, the

³ William Williams of Connecticut, Samuel Chase of Maryland, and Robert Morris of Pennsylvania.

Eagle, was off the coast of Massachusetts. He sent messages to the few royal governors remaining, informing them of the king's desire for peace and of the commissioners' right to grant pardons and restore civil government. Though these messages did not reach those officials because of their precipitous flight, they did fall into the hands of the Congress, which had just declared independence. Thus, the pardon came too late, and the Congress considered the offer mere repetition of what had been said in the Prohibitory Act. Washington wrote on July 22, "I suppose the warmest advocates for Dependence on the British Crown must be silent, and be convinced . . . that all has been said about the Commissioners was illusory and calculated to deceive . . . not only the Good People of our own Country, but those of the English Nation that were averse to the proceedings of the King and Ministry."

Not discouraged by this cool reception, both Howes joined in issuing a second offer from Staten Island on July 14, which was no more successful. Lord Howe also tried to prevail upon Benjamin Franklin for help, only to receive a reply that reconciliation under such terms was impossible. Similar failure attended the admiral's effort to contact Washington.

Then the subject was dropped until after the British victory on Long Island and the capture of General John Sullivan. Through him, the Howes arranged a conference at the Billopp House on Staten Island with three Congressional delegates: Franklin, John Adams, and Edward Rutledge of South Carolina. Despite all the British arguments, the delegates were unmoved. In their report to the Congress they stated that the Howes actually had no new powers that could conceivably change the American position. The Congress would not consider any future negotiations based on relinquishing independence, and the Howes could not deal with an independent nation. Thus, the only recourse was to settle the issue by force of arms.

THE AMERICAN REVOLUTION: YEARS OF TRIBULATION

A mere declaration of independence did not mean that freedom from Great Britain was an accomplished fact, nor did it mean that the United States immediately became a strong and unified nation. Instead, there followed seven years of war, during the course of which the mother country attempted by force of arms to compel her unruly children to remain within her empire. There were also many years of internal conflict within the new states and among the new commonwealths as to the type of government that should be established, the powers that the government should enjoy, and the elements that should dominate it. In addition, there were unresolved questions in the field of diplomacy: would other nations recognize the new republic and aid it in maintaining its independence? These and other problems had to be faced before strength, unity, and recognition were achieved.

Relative Strength of the Adversaries. The first problem was that of waging war. Hostilities had been under way for more than a year when the Declaration was promulgated. On paper, there seemed little chance that the United States would be able to support its freedom with military victory. The British appeared to have every advantage: a well-trained, well-equipped, well-disciplined army, a navy second to none, a more than ample war chest that made it possible to employ nearly thirty thousand mercenary troops from the German states, assistance from Loyalist provincial corps and from the strongest Indian tribes, and a government accustomed to dealing successfully with affairs of war.

On the other side of the picture, the Americans were starting from scratch. An army and navy had to be established and organized. The governments, both central and state, were still in the formative stage. There was always a scarcity of money, as well as a ~~dearth~~ of clothing, guns, ammunition, and even food. Nevertheless, as the war progressed, certain unexpected British weaknesses developed, and certain sources of American strength, which upset the apparent superiority of the mother country.

The American Armed Forces. American land forces in the Revolution may be divided into two major categories: the Continental army, instituted by Con-



The Marquis de Lafayette. (Courtesy of The New-York Historical Society, New York City)

gress in June 1775, and the colonial—subsequently the state—militias. The complement of the former was enlisted for at least a year, and later in the war, "for the duration." Altogether, 231,771 were on the Continental muster rolls during the war, but by no means were that many soldiers in the field at any one time. The troops serving under General Washington varied in number from four to eight thousand; other generals could seldom command more than six thousand. The militias, like the Continentals, varied in quality. Their total number was 164,087, but they, too, were not all in service at once. Militiamen generally signed up for three, six, or nine months, and the majority did not wish to serve far from home. In the beginning Washington did not have much faith in the militia; he said: "To place any dependence upon militia is assuredly resting upon a broken staff." As the war progressed, some state militias did improve greatly through experience under fire; others still ran away.

Officers, particularly in the militia and up to the rank of captain, were elected by their companies, more on the basis of popularity than military knowledge. Under the circumstances, discipline, prior to Valley Forge, was difficult to maintain. Washington felt that the men "regarded an officer no more than a drum-stick." Among the higher ranks, of the first twenty-one Continental major generals, only ten had previous military experience. In time, some officers, such as Nathanael Greene and Anthony Wayne, proved their worth; others were of questionable value, and at least one, Benedict Arnold, proved traitorous. Of great aid were the volunteers from Europe, of whom the Marquis de Lafayette, Baron von Steuben from Prussia, Baron de Kalb from France, Thaddeus Kosciuszko from Poland, and Casimir Pulaski, also from Poland, were the most prominent.

Desertions. Desertions were common in the Continental army, and even more so among the militia. Homesickness, need to take care of farm chores, illness at home, payment in depreciated money, and starvation and cold were the major reasons. It has even been said that some officers encouraged their men to desert, so that they themselves could go home in pursuit of those absent without leave. At one critical juncture Washington wrote, "We shall have to detach one half of the army to bring back the other."

Though no over-all records were kept, a recent study shows that among 23,632 soldiers from Connecticut, New York, Maryland, and North Carolina, there were 4,296 desertions, or 18.2 per cent. Punishments meted out included the death penalty, flogging and other forms of corporal punishment, drumming out of the service, imprisonment, reduction in rank, and loss of pay. These punishments, however, did not stem the tide of desertion.

Uniforms. The belief that the American army was dressed in trim buff-and-blue uniforms is exaggerated. The enlisted men, and probably most of the officers, were poorly clothed. Those from rural districts usually wore their own farm clothes, frontiersmen were garbed in buckskin, and in some of the Southern campaigns breechcloths were the only garments. Even late in the war the troops were described as "illy clad, badly fed, and worse paid." Boots and shoes were always scarce items.

Smallwood's Maryland regiment, 1776. (Watercolor by Charles M. Lefferts, Courtesy of The New-York Historical Society, New York City)



The higher officers were much better clothed, but even so, an order of July 14, 1775, read:

As the Continental Army has unfortunately no uniforms, and consequently many inconveniences must arise from not being able to distinguish the commissioned officers from the privates, it is desired that some badges of distinction may be immediately provided; for instance, the field officers may have red or pink colored cockades in their hats, the captains yellow or buff, and the subalterns green.

The commander-in-chief wore a "light-blue ribband across his heart between his coat and waistcoat"; major generals and brigadier generals wore "a pink ribband in the same fashion," and aides-de-camp, "green ribbands." To distinguish further among these officers, major generals were to have "a broad purple ribband" on their sleeves. After June 1780 a major general wore two stars on his epaulet; a brigadier general, one star.

Muskets and Cannon. The most common guns were the smooth-bore and the firelock musket, but there were also many homemade firearms the recruits brought with them. Sharpshooters and riflemen were equipped with rifles, which had the advantage of longer range and greater accuracy than the average weapons of the British. Unfortunately, the large variety of bores among the guns made difficult the issue of lead bullets. Many soldiers melted them down and cast their own to fit their weapons. But both lead and powder were scarce; had it not been for supplies from France, the situation would have been critical. Paper envelopes containing a charge of lead ball and powder were emptied into the barrel, and the empty envelope became a wad that was pushed down on the lead and powder with a ramrod. A flint fired the charge.

Cannon were scarcer than muskets and were usually obtained by capture, as at Ticonderoga. Later, cannon were cast in local forges, but their tendency to explode made them unpopular among artillerymen.

Army Rations. The problem of feeding the army was always difficult, due to the poor roads, scarcity of wagons, unwillingness of farmers to accept depreciated paper, lack of planning, and failure of the requisition system. There were also too many fingers in the proverbial pie. Valley Forge is an outstanding example of inadequacies of preparation.

When everything went smoothly, which was not often, a typical daily ration



A Revolutionary flintlock rifle. (Courtesy of North Carolina State Department of Archives and History)

consisted of a pound of beef or three-quarters of a pound of pork, sometimes varied with a pound of salt fish, together with a pound of bread or flour and a half pint of rice or one pint of Indian meal. For a beverage, a pint of milk was issued. In addition, the soldier would receive three pounds of beans or "pease" each week, or the equivalent in other "vegetables." For a whole company of one hundred men, nine gallons of molasses were issued.

Army Pay. The matter of pay was another serious problem. As originally authorized by Congress in June 1775, the army was to be paid on the following scale: General Washington, \$500 a month and expenses;¹ major generals, \$162, unless in charge of a separate department, when it was \$332 plus expenses; quartermaster generals, \$80; colonels, \$50; majors, \$33.33; captains, \$20; sergeants, \$8; corporals, \$7.33; and privates, \$6.67.

From the start there were demands for bounties, but not until June 1776 did Congress offer \$10 to those who enlisted for three years. This was not a particular inducement, because many states were granting at least twice as much to men who joined their militia companies. Therefore, in September 1776 Congress approved land bounties ranging from five hundred acres to generals and colonels down to one hundred acres to noncommissioned officers and privates, plus \$20 for a three-year enlistment. A month later another inducement in the form of clothing was also offered to soldiers.

Bonuses again became a means of satisfying discontented troops in December 1779, when Congress approved a bounty of \$100 to those who had agreed before January 23, 1779, to serve throughout the war, and \$200 for those re-enlisting for the duration. Next, in October 1780 officers serving throughout the war were to be rewarded with half-pay for life, and if they died in service, their widows would receive half-pay for seven years. If their children were completely orphaned, the same would hold true. States used similar bounty inducements in trying to keep their militias up to strength.

Mutinies. Despite these and other pay increases and bonuses, the problem of pay was ever present. For example, during the winter of 1779-1780 at Morristown, New Jersey, it contributed to a mutiny of two Connecticut regiments, whose members had not been paid for five months and, in addition, had been on short rations most of the winter. In May 1780 these two regiments, fully armed, demanded in no uncertain terms both their back pay and a restoration of full rations. Fortunately, Pennsylvania troops prevented them from getting completely out of hand.

Even more dangerous were the so-called revolt of the Pennsylvania Line in January 1781. Aroused by what they considered discrimination against them in the form of enlistment pay, these twenty-four hundred men seized guns and cannon, wounded several officers who stood in their way, and set out for Philadelphia to gain redress. The worried Pennsylvania Executive Council made

¹ The commander-in-chief refused to accept regular pay. His expenses throughout the war amounted to slightly more than £16,000.

sufficient concessions to end the mutiny, but about half of the still dissatisfied militia left the service.² Before the month was over, Jersey troops also mutinied at Pompton. Washington promptly sent General Robert Howe and six hundred men to the scene; this unexpected show of strength quickly ended the crisis. Two leaders of the mutineers were executed as a warning to the others. Pennsylvania soldiers staged a similar uprising in May 1781, but another show of force promptly quelled the disturbance, again aided by execution of the ring-leaders.

The last display of dissatisfaction was made by some army officers early in 1783. In January they sent a memorial of their grievances to Congress: their pay was in arrears, their food and clothing accounts had not been paid, and no provision had been made for their promised half-pay. When Congress disregarded their appeal, Major John Armstrong circulated among the officers at Temple Hill near Newburgh an anonymous address that decried the "coldness" of Congress and urged them to send it a "last remonstrance"; if that body still refused to act, the officers' defiance of Congress would be justified. Although many prominent civilians and other high army officers supported this "Newburgh Address," Washington forbade this unofficial protest and called instead an authorized meeting to discuss grievances on March 15. When it assembled, the commander-in-chief condemned the defiant air of the Address and stated that if the officers exercised patience, Congress would ultimately treat them fairly. Meantime, they should do nothing to detract from the honor and glory they had won during the war. So tactfully did Washington present his arguments that when he withdrew, the officers unanimously expressed their confidence in Congress and rejected "the infamous propositions" of the Newburgh Address.

Medical Care. Medical care left much to be desired. In this regard the American army may not have been behind the times, but it certainly was not in advance. The first method of caring for the sick and wounded was to have individual doctors serve in particular battles that occurred in their locality. The many bills they sent in, however, and the troops' complaints brought the weakness of this method to Congressional attention.

Therefore, in July 1775 Congress established a hospital for an army of twenty thousand men, with a director-general and chief physician, as well as the necessary staff, including nurses. Then, in March 1777 a Congressional medical committee was appointed "to devise ways and means for preserving the health of the troops." Thereafter, there was some improvement, but the situation was still bad. General Anthony Wayne wrote, "Our hospital, or rather our

² General Henry Clinton, from his headquarters in New York City, misinterpreted this mutiny, believing it was a move against the United States. Therefore, he sent two Tory agents among the mutineers to offer them money and pardons from the king if they would join his forces. But the mutineers arrested the Tories, found them guilty of spying, and then hanged them. When General Wayne proposed to reward the mutinous Line with gold for its action, the leaders rejected the offer, saying that the only reward they wanted was "the love of our country."

House of Carnage, beggars all description and shocks all humanity to visit; there is no medicine or regimen suitable for the sick, no beds or straw to lie on, no covering to keep them warm other than their own thin wretched clothing."

Army Administration. American leaders were inexperienced in all these problems, and the administration of an army was a complicated affair. There were quartermaster generals in charge of transportation, clothier generals in charge of clothing and equipment, a commissary general in charge of issues, a commissary general of purchases, a paymaster general, a commissary of musters, a superintendent of bakers, and, among others, a director of baking. The requisition system was used to obtain food and clothing in the beginning, but this system worked so poorly that it was eventually replaced by the contract method, which was scarcely any better.

Congress itself wanted to run everything. For example, at least six committees visited Washington's encampments and tried to dictate military operations. In June 1775 it established a Board of War and Ordnance of five of its members, whose specific tasks were to take charge of military stores, to superintend the raising, equipping, and dispatching of land forces, and to maintain a registry of officers. This committee functioned so inefficiently that in 1777 a Board of War, consisting of military personnel, replaced the Congressmen. This agency operated somewhat better, but caused jealousies. Consequently, in 1781, when hostilities were nearly over, a secretary of war, General Benjamin Lincoln, was named.

The British Armed Forces. At the opening of the Revolution the British army numbered about eight thousand in America, with perhaps two thousand more stationed in the British West Indies. There was a potential reserve of about thirty-eight thousand in the rest of the empire, mainly in the British Isles. Six years later, in 1781, the total number of regulars was 110,000, of whom approximately fifty thousand were in America, plus an indefinite number of independent companies. The infantry, cavalry, and artillery were the largest and most important subdivisions, but the grenadiers and light infantry were considered the best trained and most capable.

The standard uniform of privates and noncommissioned officers was the heavy red coat, the cocked hat, the waistcoat, and gaiters that extended above the knee. Colored coat facings distinguished the various regiments. Hair was worn plaited and turned up, and fastened with a ribbon—the so-called clubbed style. Officers wore similar uniforms, their rank indicated by sashes and gorgets, relics of the medieval throat, or breast, plates.

For equipment there was the Tower musket, better known as the Brown Bess, a small-bore flintlock weighing about fourteen pounds. It was not accurate beyond a hundred yards, though its range was three times that. It fired a lead bullet weighing about an ounce, and a heavy cartridge was needed. To load, the paper end of the cartridge was torn off with the teeth, several grains of powder sprinkled into the pan, the ball and cartridge pushed down the muzzle

with a ramrod, and the shot discharged when the hammer struck the flint. Probably not more than three shots per minute could be fired, and marksmanship was generally poor. Companies relied more on volleys than on accurate shooting. Poor quality flints were the cause of frequent misfiring, and damp weather increased the inadequacy of the weapon. For a time, some riflemen were issued breech-loaders, which fired with greater accuracy and speed—six shots a minute. Yet, for reasons unknown, the ministry refused to continue the experiment. The bayonet was an important part of the equipment, and the British soldier found it more reliable than the bullet. The British regular carried a knapsack, which contained additional clothing, a blanket, extra provisions for four days, and his share of tent equipment, and also a cartouche box, which held about sixty rounds of bullets. The total weighed some sixty pounds. British officers seldom carried swords; instead, they relied on pikelike weapons called spontoons. Sergeants were supplied with halberds, spearlike weapons about seven feet long.

A private's pay averaged eight pence a day, from which he must purchase his food and other essentials, such as shoes, leaving little cash for himself. Officers' pay was much higher; an ensign might receive £900 a year. Commissions had to be purchased,³ however, and promotions were difficult to obtain.

Discipline was severe. The cat-o'-nine tails or the lash was the punishment for many offenses. Drinking and gambling were prevalent vices, and many officers took their mistresses with them. Indeed, each regiment had its camp followers, who might or might not be the wives of the men. Six were supposed to be the maximum for each company, though there were usually more, and they received the same rations as the troops. These conditions were common in all European armies of the eighteenth century. Despite orders to the contrary, British troops frequently plundered and burned civilian property, especially in New Jersey and the South. Neither the health nor the religious life of these troops was given much attention.

There were many recruiting difficulties. In England there was widespread political opposition to the government; in Ireland the good harvests of war years had more appeal than military pay or glory; only Scotland furnished its share of soldiers, a situation partly resulting from high rents. Yet, throughout the British Isles the feeling was strong that the army was vigorously opposed to popular rights. Moreover, little honor was attached to military service, which was normally for life. Voluntary enlistment suffered prior to 1778, when France entered the war. Even large monetary bounties were not sufficient attraction, nor was pardon for past crimes, including desertion. Physical requirements were practically nonexistent, and anyone between the ages of sixteen and fifty was taken. Recruiting parties were even sent to America to procure enlistments, and prominent Tories were allowed to organize their own regiments. The navy had no better success, and frequently had to resort to shanghaiing men. Poor food, bad quarters, and arbitrary commanders were responsible for this apathy.

³ A lieutenant-colonelcy might cost as much as £6,700.

Very early in the war England therefore sought mercenary troops. Russia was first approached, but the Czarina refused the request for twenty thousand men. Next, England turned to the small German states, where she finally made arrangements to hire nearly thirty thousand, principally from Hesse-Cassel, but also from Brunswick, Hesse-Hanau, Anspach-Bayreuth, Waldeck, and Anhalt-Zerbst, at a cost of £1.77 million. Prominent generals leading these so-called Hessians were Wilhelm von Knyphausen, Philip von Heister, Friedrich von Lossberg, and Baron Friedrich von Riedesel. These mercenaries were brave enough, but they had little incentive to fight others' battles. Desertion among them was frequent, for the American way of life proved attractive. The Loyalist regiments are discussed in another chapter.

The king was the theoretic head of land and sea forces—the captain general. His power was limited, however, by the fact that he could not maintain a standing army in time of peace without approval of Parliament, which also, through Mutiny Acts, passed military appropriations for but a year at a time. As in other respects, however, the king delegated his authority to a commander-in-chief or an admiral. A board of general officers supposedly supervised the war, but two cabinet officers usually played the more active roles, the secretary of war and the secretary of the navy. Actually, however, Lord George Germain, a man with a varied and questionable background and not noted for his competence, was responsible for the strategy of the war and issued orders from London in his capacity as secretary of state for the colonies.

Victualing the British forces in America was a most difficult task. Much of the food and drink, such as bread and flour, pork, beef, peas, oatmeal, rice, and rum, was shipped from the homeland, usually out of Cork, Ireland. Profiteers took advantage of the lax Treasury Board's contract system to sell inferior goods and even sweepings to the military. Moreover, the Cork fleets were sometimes delayed by storms, thereby holding up planned campaigns. The colonies were expected to be the source of fresh meat, forage for animals, rice, and sometimes flour, yet the venality of the commissary departments and their slowness to pay caused many otherwise loyal Americans to hide their produce when the British army was in the vicinity. Thus, the British could not be sure of living off the countryside, as Cornwallis found to his dismay.

The British faced many other problems in America to which they were unaccustomed. The rebellious colonies covered a vast expanse, where roads were poor—if any existed at all—and distances were great. Some Englishmen asserted it was like trying to conquer a map. There were only a few large towns to be captured, and even if they were taken, it did not give the British control of the surrounding territory. The colonial population was so fluid that the loss of a town did not mean too much to them. The thinly spread communities made procurement of supplies from the countryside difficult. Dependence on supplies from the British Isles was dangerous, and large garrison towns, such as New York City, were frequently on the verge of starvation when the Cork fleets were delayed. Directing campaigns from London did not work, as a combination of incompetence, delays, loss of orders, and the like prevented success. Moreover,

the British did not learn the lessons of the French and Indian War, and still fought in America as they did in Europe. Usually, it was only the Loyalist provincial corps and the Indians who could cope with the frontier technique of fighting. And the British commanders, notably Howe and Burgoyne, were more concerned with English politics or their own prestige than with winning battles in America.

The Rival Navies. In the early stages of the war Britain had undisputed control of the seas. Her navy consisted of about seventy men-of-war, and lesser ships in proportion enabled her to transport armies and essential supplies to America with but little opposition. At the same time, the navy was strong enough to bottle up most of the American merchant marine. Eventually, however, numerous weaknesses were manifested. The British Navy Board was not efficient, many naval vessels had fallen into disrepair after 1763, conditions aboard ship left much to be desired, thereby making recruitment difficult, and the need to use so many vessels as convoys reduced the numerical superiority. Moreover, after the entrance of France and Spain, the British navy was actually outnumbered.

An American navy had not been deemed necessary until hostilities broadened. Then, in early July 1775 Josiah Quincy first suggested to John Adams:

As the whole Continent is so firmly united, why not a Number of Vessels of War be fitted out and judiciously stationed, so as to intercept and prevent any supplies going to our Enemies; and consequently, unless they can make an Impression inland, they must leave the Country or starve.

It was not until the following October 3, however, that Rhode Islanders in Congress formally proposed the establishment of a navy, on instructions from their legislature. This proposal, plus subsequent information about approaching British supply ships, resulted in the naming on October 13 of a committee "for fitting out armed vessels." The three members were asked to formulate plans for capturing those enemy vessels, and Congress requested Washington to obtain two ships for that purpose.

Washington, however, had already acted. On September 2 he had commissioned Captain Nicholson Broughton to fit out the Hannah for operation against British supply ships, and a month later had given similar instructions to Stephen Moylan and John Glover. Thus, the first authorized Continental armed ships were actually part of the Continental army.

The first attempt to establish a separate navy came on October 30, 1775, when Congress authorized the fitting out of several armed vessels and enlarged the membership of the earlier committee, which became known as the Marine or Naval Committee. More progress was made the following month, for Congress then appropriated \$100,000 for the new navy and encouraged enlistment of officers and men by promising one half of the profits derived in prizes from British warships they captured, and one third from transports. A general prize law was also passed, permitting any colonist to seize any British transports. Each

colony might establish admiralty or prize courts to determine the disposition of such captures.

Esek Hopkins of Rhode Island, was named the first "commander-in-chief," although the title of "commodore" was more commonly used, and assumed his post in December. Naval regulations, based largely on those of the British navy, were also formulated. These rules included provision for daily religious services "unless bad weather or other extraordinary accidents prevent," for various punishments for swearing, drunkenness, and other offences, and for daily rations.⁴ The only commissioned officers were captains and lieutenants; other naval personnel consisted of masters, master's mates, boatswains, gunners, surgeons, carpenters, coopers, clerks, stewards, chaplains, and seamen. The pay ranged from \$32 a month for captains down to \$6.67 (soon raised to \$8) for seamen. In addition, bounties were given for ships captured. After September 1776 naval captains' uniforms were blue coats, "with red lappels, slash cuff, stand-up collar, flat yellow buttons, blue britches, red waistcoat with narrow lace."

In November 1775 Congress established "the first and second battalions of American marines," whose complement must be "good seamen or so acquainted with maritime affairs as to be able to serve to advantage by sea when required." An officer's uniform consisted of a green coat with silver epaulets and white cuffs, a white waistcoat, breeches with green edgings, and black gaiters. Privates were to wear green shirts, if available.

No accurate record of all the different types of ships in the Continental navy is available, except for what have been designated as "principal ships"; there were forty-two of these, plus thirty-one in the various fleets commissioned by Washington, by Arnold on Lake Champlain, and by other leaders, and eleven fitted out in France. Capture, shipwreck, and other mishaps left only three of the ships in operation by 1783. The chief value of the regular navy was not in fleet action, but in individual engagements. The navy also transported supplies from France and carried diplomatic agents and correspondence back and forth across the Atlantic.

In addition to the regular Continental navy, all the states except Delaware and New Jersey had their own fleets. Each state navy was smaller than the Continental, but their combined total was larger. These navies were used primarily to guard local coasts and ports, and thus were of smaller size and shallower draft in order to sail into bays and creeks that larger vessels could not enter. Only Massachusetts boasted an ocean-going navy. The states also established naval committees and prize courts, for their fleets did capture many small ships, especially those that had drifted away from British convoys. Many of these captured ships escaped, however, before they could be brought into port.

A third category was the privateers, which were formally commissioned by Congress on March 23, 1776, in addition to those authorized from time to time

⁴ A typical daily ration consisted of "1 lb. bread, 1 lb. pork, $\frac{1}{2}$ pint peas, and 4 oz. cheese." In addition, each sailor received a half pint of rum, plus "a discretionary allowance on extra duty, and in time of engagement."

by the several states. These speedy raiders constantly roamed the Atlantic, the waters around the West Indies, the Irish Sea, and even the English Channel. Their number has been variously estimated at between 1,150 and 2,000. They made serious inroads on British commerce, and the valuable prizes they captured brought wealth to the owners, such as Elias Derby of Salem, who paid their crews handsomely. There is another side of the picture, however, for losses to Americans were also great; some who fitted out privateers were impoverished as a result.

After the French entered the struggle in 1778, their navy, which had been reorganized and modernized after 1763, ended British supremacy. The following year the Spanish fleet added its weight, to make a total Franco-Spanish armada of some 120 ships. The threat of the French forced a change in British strategy, and the French navy performed valuable services in the Newport region, around New York City, and more particularly, in bottling up Cornwallis at Yorktown.

Administration of the Navy. Following the appointment of the original Marine or Naval Committee in October 1775, Congress created the so-called Marine Committee in December 1775, "to devise ways and means for furnishing these colonies with a naval armament." Consisting of one member from each colony, this agency did not live up to expectations because its personnel had little professional knowledge of naval problems.

The next administrative step was taken in November 1776, when the Continental Navy Board of "three persons, well skilled in maritime affairs" was named "to execute the business of the navy." For almost three years the navy was administered solely by this board, but in October 1779 the Board of Admiralty, made up of "three commissioners not members of Congress, and two members of Congress . . . for the despatch of business," was also given naval jurisdiction, along with two inferior agencies, commonly referred to as the Eastern Board and the Board of the Middle District. With divided authority, these several committees were unable to effect adequate supervision.

Therefore, in January 1781 General James Read was named to unify and improve the administration of the Middle District, and the next month Major General Alexander McDougall was appointed secretary of marine in another effort to develop closer coordination. As neither of these changes afforded the needed improvement, in August 1781 Congress provided that "an agent of marine [Robert Morris] be appointed, with authority to direct, fit out, and employ the ships and vessels of war belonging to the United States, according to instructions as he shall, from time to time, receive from Congress." Although this was to be a temporary arrangement, it continued for the remainder of the war. Thus, throughout the contest Congress used the trial-and-error method to supervise the administration of the navy.

The Fall of Ticonderoga. Following the battles of Lexington and Concord the enthusiastic and optimistic Americans determined to continue the military

struggle against Great Britain. To do so, however, a more effective fighting force than the minutemen was needed. The first step was taken on April 22, 1775, when the Massachusetts provincial congress ordered the raising of 13,600 men, who were placed under command of General Artemas Ward, a veteran of the French and Indian War. The other New England colonies also increased the size of their militias.

The most conspicuous deficiency of these new troops was a lack of cannon, but Benedict Arnold of Connecticut formulated a plan to seize Fort Ticonderoga, which had the largest heavy ordnance depot in the colonies. The Massachusetts committee of safety commissioned him to raise four hundred men for this purpose, but before Arnold could complete his recruitment, he learned that Ethan Allen was gathering troops in Vermont⁵ for the same objective. Arnold thereupon hastened to Vermont to claim command, but the Green Mountain Boys under Allen refused to relinquish the commission they had received from Connecticut. After some discussion, a joint command was worked out.

On the evening of May 9, 1775, the combined expedition reached the eastern shore of Lake Champlain, to find but two barges available. Allen and Arnold filled these boats with some eighty men, reached the opposite shore early the following morning, and captured an English sentry. They compelled him to lead the intrepid band to the quarters of Captain William Delaplace, in charge of the Ticonderoga garrison of fifty men. The sleepy Delaplace had to surrender "in the name of the Great Jehovah and the Continental Congress"—another, and probably more accurate, version of Allen's order is "Come out, you rats"—before promised aid could come from Canada. The real fruits of this victory were the seventy-eight heavy guns, ranging in size from four- to twenty-four-pounders, six mortars, three howitzers, thousands of rounds of cannon balls, nearly ten tons of musket balls, thousands of flints, and much other needed equipment.

Two days later Arnold captured nearby Crown Point, while another party seized Skeneborough. Then, in the early morning of May 17, after a long all-night boat trip, Arnold forced the surrender of St. John's on the Richelieu River. A sloop, several bateaux, and assorted military supplies formed the principal booty of this victory. Rumors of large British reinforcements in the vicinity prompted Arnold to return to Crown Point.

The Battle of Bunker Hill. Just about the time Ticonderoga fell, the Second Continental Congress convened. One of its first actions was to provide for a Continental army, for obtaining various military supplies, and for making George Washington commander-in-chief. While these preparations were under way, both sides were increasing their strength in the Boston area. At the end of May, Sir William Howe, Sir Henry Clinton, and John Burgoyne, all major generals, had arrived, along with more British troops, to assist Gage, and by mid-June, British forces in America numbered approximately ten thousand.

⁵ Allen was not a native Vermonter. He was born in Connecticut.

By this time the Massachusetts committee of safety had learned that the British were about to fortify Dorchester Heights, which overlooked Boston. The American military leaders sought to counteract this move by fortifying Breed's Hill on the Charlestown peninsula. On the evening of June 16 some twelve hundred men began construction of a redoubt there. Their work had not been completed by the following morning, when the British discovered what was taking place and trained the guns of warships in Boston Harbor on the hill.

Then Gage, knowing that Boston would be untenable as long as the enemy held Breed's Hill, planned a frontal attack to drive the Americans from their high position. It was not until the afternoon of June 17, however, that the tide was right to transport Howe and twenty-four hundred troops to the mainland. The first two assaults, made in close formation with heavy packs in true European style, were beaten back by Colonel William Prescott's Americans, who did not fire, according to one version, until they saw the whites of British eyes. Clinton then joined Howe with reinforcements, and the packs were dropped and bayonets fixed for the third assault. This time the charge was successful, aided in no small part by the fact that the defenders ran out of powder. Breed's Hill fell, as did nearby Bunker (Bunker's) Hill. The American retreat turned into a veritable rout, but Howe did not press his advantage. Yet, the British victory was costly; their casualties numbered more than a thousand, including a large percentage of officers, who were the special targets of American riflemen. American losses, chiefly in the third attack, were fewer than four hundred, with Joseph Warren the most prominent casualty.

The Canadian Disaster. It was early in June 1775 that the ubiquitous Benedict Arnold presented to Congress his plans for an invasion of Canada. The general feeling of the delegates was that such an expedition might bring a fourteenth colony into the American fold. A more united front would thereby be formed against Britain, and the possibility of British attack from the north would be lessened. Nothing tangible was done, however, until June 27, when Congress heard that General Guy Carleton was recruiting Canadians for the invasion of New York. Thereupon, it commissioned General Philip Schuyler to prepare better defenses for Ticonderoga and Crown Point and then take possession of any parts of Canada "which may have a tendency to promote the peace and security of these Colonies."

Schuyler, with a thousand troops, reached St. John's early in September. Just as the siege began, he fell ill and turned his command over to the abler General Richard Montgomery. The British and Canadian defenders held out until November 2, when they had to capitulate. Meantime, Washington had authorized Arnold to gather eleven hundred volunteers to march against Canada from another direction. On September 12 this band started out, reached Fort Western (Augusta, Maine) twelve days later, and then began one of the most difficult marches in military annals across the widest section of Maine. One division had to turn back because of provision shortages and illness, but Arnold

and the remainder persisted until they came to the St. Lawrence, nearly opposite Quebec, in early November.

About the same time, Montgomery occupied Montreal, which Carleton had left practically undefended in order to concentrate his troops at Quebec. The combined American forces opened their well-planned assault on the Canadian capital on the morning of December 31, 1775, but everything went wrong. Dissatisfied Canadians did not join the American attack as they had been expected to do, a violent snowstorm led to confusion among the invaders, someone fired a shot too soon, thereby warning the defenders, and Montgomery was killed and Arnold wounded early in the attack, depriving the Americans of the leadership that might have won the day. After heavy losses the Americans had to retreat. Arnold recovered sufficiently to keep the remnants together, and they maintained patrols in the vicinity of Quebec throughout the rest of the winter.

In April 1776 American reinforcements arrived, but General John Thomas decided not to continue the siege and planned an orderly return to New York. The unexpected arrival of British relief forces early in May, however, enabled Carleton to sally from the city and turn the American withdrawal into a disorganized rout to Chambly, where Thomas died of smallpox. His successor, John Sullivan, failed to rally his men at Three Rivers and retreated to St. John's, where he was joined by Arnold, who had given up Montreal in the face of greater British strength. The combined army was back in Ticonderoga in July, the campaign a total failure. John Adams described this battered army as "an object of wretchedness to fill a humane mind with horror; disgraced, defeated, discontented, naked, undisciplined, eaten up with vermin. . . ."

Valcour Island. The final chapter in this particular story did not take place until October 1776. Both sides had realized in the previous months that control of Lake Champlain was essential to all future strategy in that area, and had begun to construct ships. The Americans, with the help of carpenters brought from nearby colonies, built fifteen; the British constructed or refitted twenty-five. On October 11 the two fleets came to grips at Valcour Island, with the experienced British sailors under Captain Thomas Pringle crippling most of Arnold's squadron, manned by untrained crews, in a running seven-hour battle. Yet, the Americans eluded the enemy watch that evening, although during the next two days Arnold's remaining ships were completely destroyed, the end coming at Split Rock.

Carleton followed this victory by seizing deserted Crown Point, but he had been so delayed in preparing his fleet and by Arnold's heroic naval resistance that he decided against attacking Ticonderoga, now defended by a large army. On November 3, 1776, he consequently abandoned Crown Point and returned to Canada. Thus, the American delaying action on Lake Champlain prevented the British from moving into the heart of New York, an important advance that might have changed the tide of war in 1777. Baron Riedesel, of the German forces with Carleton, wrote, "If we could have begun our last expedition four

weeks earlier [it took that length of time to prepare the British squadron], I am satisfied that everything would have ended this year." The battle of Valcour Island, though at the time an American defeat, was to prove of inestimable value to the Continental cause.

The Evacuation of Boston. Washington spent the first six months of his command trying to mold the heterogeneous horde in and around Cambridge into an effective Continental army. This was a most difficult task. He had to find competent officers, contend with touchy colonial jealousies, establish a semblance of military order, try to obtain long-term enlistments, gather supplies of all kinds, and, at same time, keep the British confined in Boston.

Because scarcity of heavy ordnance was a major handicap, in November 1775 the commander-in-chief instructed Henry Knox to bring the cannon captured at Ticonderoga to Cambridge, stating that "the want of them is so great that no Trouble or Expence must be spared to obtain them." Knox did an amazing job. Using sleds, flat boats, and oxen, he transported forty-three cannon, sixteen mortars (some of which weighed a ton), and large quantities of lead and flints over treacherous mountains and streams in the dead of winter to the Continental headquarters by the end of January 1776.

With these supplies the American leaders planned to drive the British from Boston. They decided to fortify Dorchester Heights, from which the recently acquired artillery could dominate the city. The first part of the plan was carried out on the night of March 4, 1776, when General Thomas and two thousand men, protected by heavy fire, gained a foothold on the Heights and started to dig in.

Sir William Howe, who had taken over command in Boston the previous October, received news of the strengthened opposition with misgivings. His own troops were in no position to take the offensive unless he obtained reinforcements. Indeed, his situation was so critical that he would probably have to evacuate the city, but he could not do so until transports arrived. Now he realized that American occupation of Dorchester Heights would spell quick doom to Boston. Therefore, on the morning of March 5 he ordered Lord Percy to dislodge the enemy before the entrenchments were completed. A forty-eight hour heavy rain, however, prevented fulfillment of this order, American guns were mounted on the Heights, and Howe, on March 7, finally decided to evacuate the city. By unofficial agreement, neither side fired during the British withdrawal on some 170 ships that had recently arrived. On March 26 this transport fleet, carrying as well about a thousand Tories, left the harbor for Halifax. American soil was cleared of practically all British troops.

The Struggle for New York City. Despite this reverse, Howe was already planning to move against New York City, which would afford a strategic base of operations for the suppression of the rebellion. Moreover, the surrounding area, under British control, might furnish Tory regiments for the royal cause. The Americans also realized the strategic importance of the city, and even

General Sir William Howe. (Watercolor by Charles M. Lefferts, Courtesy of The New-York Historical Society, New York City)



before the British were driven from Boston, General Charles Lee was sent to New York to superintend erection of needed fortifications. By the middle of April 1776 most of the Continental forces had been shifted there. The presence of the American army in the city may have encouraged the colony to support the movement for independence.

These Continental preparations were made none too soon, for on July 2, 1776, General Howe and some ten thousand troops landed on Staten Island in New York harbor, followed ten days later by his brother, Admiral Lord Richard, with a large naval force and a number of transports. Shortly thereafter, Sir Peter Parker's fleet brought Clinton and Cornwallis, together with the remnants of the British army that had failed to capture Charleston. The British army was thus built up to about thirty-two thousand, of whom nine thousand were Germans; the American army numbered fewer than twenty thousand, of whom many were ill-equipped and poorly trained.

It was not until August 22 that General Howe made his initial move by landing troops on Long Island. By the 25th some twenty thousand regulars had been transported to the new area. At dusk on the 26th the British attack opened with a blow at the American left flank, commanded by Israel Putnam, in Brooklyn. The next morning Sullivan's position fell, and the general himself was taken prisoner. Only the gallant fighting of Lord Stirling's men prevented an utter rout in this battle of Brooklyn, or Long Island. For some unknown reason, Howe did not push his advantage, and thereby allowed the survivors to escape to

Hod D^o New York Island, Sept^r 22: 1776

Parole London

Court: Great Britain
 the 2^d & 6th Brigades & 3^d Batt^t of
 Light Infantry & Artillery as ordered for to
 day are to March to Morris at 9 o'clock under
 the Command of Gen^t J. Percy

The Packet for Europe will be ready to
 sail Tuesday the 24th Inst:

A Spy for the Enemy (by his own full
 confession) apprehended last night, was
 this day executed at 11 o'clock in front
 of the Artillery Park.

Memorandum

I M^r to take particular care that the
 necessary houses are frequently change^d
 Field off: for P^t this evening Hob^o House
 In Waiting Stols: Hyde

British orderly book announcement of the capture of Nathan Hale. (Courtesy of The New-York Historical Society, New York City)

Manhattan Island during the night of August 29. As it was, the American lost fifteen hundred in casualties out of a force of eight thousand.

New York City could afford only temporary refuge to the beleaguered Americans, for Washington knew that his army might be trapped by the numerically superior enemy. He ordered a retreat to the northern part of the island, where the hills would provide better defense. While this maneuver was under way, the British crossed the East River to Kip's Bay, about in the middle of the island, and nearly cut off the retreat of the main American army. As on Long Island,

however, Howe did not take full advantage of his opportunity, and the Continentals reached Harlem Heights, where they repulsed an attack on September 16.

For the next three weeks there was little military activity, although two important events occurred: a disastrous fire in New York City, and the execution of Nathan Hale as an American spy. Then Howe attempted another flanking movement by landing a considerable force at Pell's Point on October 13, only to discover that Washington had withdrawn his main army to White Plains, leaving a strong division to guard Fort Washington. The battle of White Plains on October 28 was indecisive, although the Americans again retired, this time to the area north of New Castle.

The garrison at Fort Washington was now surrounded, with no hope of aid or escape. When Howe attacked on November 16, the fort fell into British hands, along with nearly three thousand prisoners. Two days later Cornwallis ferried his division across the Hudson, compelling General Nathanael Greene hastily to evacuate Fort Lee, leaving behind military supplies the Americans sorely needed.

Trenton and Princeton.—From New Castle, Washington crossed the Hudson to New Jersey—"enemy country," he called it, because of the large number of Tories there—where he joined Greene's men at Hackensack. A council of war decided that a retreat to the Delaware River was the best course, particularly as Cornwallis was threatening the new American position. By mid-December the Continentals had crossed to the comparative safety of Pennsylvania. The only untoward incidents were the capture of General Charles Lee at Basking Ridge, New Jersey, and the flight of a very worried Congress from Philadelphia to Baltimore.

It was also in December that Howe brought most of his scattered troops back to New York City for the winter, except for garrisons at key points in Jersey: New Brunswick, Perth Amboy, Bordentown, Princeton, and Trenton. When American spies informed Washington that Colonel Johann Rahl and the fourteen hundred Hessians at Trenton were maintaining an inadequate defense, the commander-in-chief saw an opportunity for revenge. Personally leading twenty-four hundred men across the ice-filled Delaware on Christmas night, Washington opened the attack early the next morning on the poorly guarded post to force the surprised Hessians, still groggy from too much Christmas cheer, to surrender. The Americans suffered only five casualties.

The normally lethargic Howe was quick to try to wipe out this insult. On January 1, 1777, he dispatched General James Grant from New Brunswick and Cornwallis from New York to corner Washington's army. But Cornwallis was so sure he had "the fox in the bag" that he waited until January 3 to deliver the decisive blow. Washington, however, silently stole by the British general, leaving a small detachment at Trenton to confuse the opposition, and approached Princeton. The first advance almost brought disaster, for General Hugh Mercer was killed, and his division was on the verge of rout, but then

Washington and the main army came on the scene, the tide turned, and the British were driven out of Princeton with considerable losses. Only the arrival of Cornwallis prevented an American attack on New Brunswick.

These two American victories in New Jersey, even though gained at the expense of only small British garrisons, lifted flagging morale everywhere. In addition, the British were compelled to relinquish their hold over most of New Jersey. The remainder of the winter saw the Continental army resting and reorganizing in the protective hills around Morristown.

Early Fighting in the South. Following Lord Dunmore's flight to a British warship in June, 1775, Virginia became the scene of excited mobilization. On August 2 Lord Dartmouth authorized Dunmore to raise "among the Indians, negroes and other persons, a force sufficient, if not to subdue rebellion, at least to defend Government." Accordingly, the governor organized the Queen's Own Loyal Virginians, consisting of local Tories, and a regiment of Negroes, known as Lord Dunmore's Ethiopians. Naturally, this move aroused the planters, who worried principally about a slave uprising and countered by redoubling their own efforts to raise larger Whig regiments. In November, Dunmore widened the breach not only by declaring martial law in Virginia and insisting that "every person capable of bearing arms . . . resort to His Majesty's standard or be looked upon as traitors," but by offering to free all slaves and indentured servants who joined the royal forces.

The first important blow between the rival groups was struck at Great Bridge, across the Elizabeth River near Norfolk, on December 9, 1775. About six hundred British regulars, Queen's Own, and Negroes disputed control of that bridge with Colonial William Woodford, who commanded nine hundred Virginians and some North Carolina troops. In a battle of strategy, the Whigs won the day and soon after occupied Norfolk, a Tory stronghold.

On January 1, 1776, Dunmore carried out his promise to lay the town in ashes by cannon fire from ships in the harbor. Many Whig riflemen in Norfolk helped him by burning the homes and business places of known Tories. The patriots, forced to withdraw, returned in February to complete the destruction of the town, mainly to prevent its use as an enemy base. Dunmore's effort to awe the Whigs by his savage attack failed in its purpose; Washington wrote: "A few more such flaming arguments . . . will not leave numbers at a loss to decide on the propriety of a separation."

Moore's Creek Bridge. In the meantime, Governor Josiah Martin was similarly proclaiming rebellious North Carolinians "as traitorous, wicked and designing men." On January 10, 1776, he issued commissions to several Highlanders to raise Tory regiments in order to suppress anti-British activities and arrest the leaders. A like effort was made among those who had participated in the Regulator movement. By mid-February nearly fifteen hundred, mainly Highlanders, were organizing at Cross Creek (Fayetteville). But such moves only spurred the Whigs to greater activity in raising regiments and volunteers

of their own, under the leadership of such men as James Moore, Alexander Lillington, and Richard Caswell. An effective force of eleven hundred patriots was soon gathered nearby.

The first important encounter came at Moore's Creek Bridge, some eighteen miles from Wilmington, on February 27, 1776, where about a thousand Whigs under Lillington and Caswell were ordered to prevent the Tories from reaching the coast to join forces with the expected British army under Henry Clinton and a fleet commanded by Sir Peter Parker. As the Tories approached, their opponents removed the planks from the bridge, so that when the Highlanders tried to force a crossing, they became victims of a furious cross fire from entrenched Whig riflemen and from grapeshot-loaded cannon. The whole encounter lasted approximately three minutes. The following day more than eight hundred Tories surrendered, along with their military supplies consisting of fifteen hundred rifles, 350 muskets, 150 swords, thirteen wagons, and £15,000 in gold. Though the battle itself was relatively small, its implications were great, for it destroyed the largest group of armed Tories, it caused Clinton to give up his plan to overrun the colony at that time, and it gave considerable encouragement to the advocates of independence in North Carolina. The genius behind the battle was James Moore, who, though not present, planned the whole campaign and maneuvered the Tories into fighting at a disadvantage.

General Clinton did not arrive off the Carolina coast until March 1776, and thus his original strategy of joining with the North Carolina Tories had to be abandoned because of the defeat at Moore's Creek Bridge. Another deterrent was that the Whigs now had about six thousand armed men near Cape Fear. When Cornwallis reinforced Clinton early in May, the two generals decided to concentrate their attack upon Charleston, South Carolina. The Whigs of that colony were not idle; not only was a palmetto log fort being completed on Sullivan's Island by engineers under Colonel William Moultrie, but Charles Lee had come from New York to head the defense.

It was not until June 28 that Parker could open the attack on Charleston by sea. The excellent marksmanship of the defenders and the ability of the log fort to withstand cannon fire thwarted Parker's efforts, aided in no small part by the scarcity of British landing craft. By nightfall the fleet had withdrawn with every ship damaged—Parker's flagship alone was hit seventy times. Clinton's troops likewise failed in their land maneuvers and retired from the Charleston area. As a result, the British ended active operations in the South for more than two years.

The Three-Cornered Campaign. George III, the ministry, and the English people generally were displeased with the progress of the war in 1776. Coming in for special criticism was the failure to push the advantage in the Lake Champlain region. The ambitious "Gentleman Johnny" Burgoyne, who had participated in the expedition from Canada, was back in England at the opening of 1777 and indirectly helped to place the blame squarely on the shoulders of Guy Carleton, with none for himself. In order to curry favor, he drew up "Thoughts



for Conducting the War from the Side of Canada," which suggested that a combined force of British regulars, Canadian militiamen, and Indians to the number of at least eleven thousand be assembled in Canada. Leaving part of this army to guard Canada from American attack, the rest would establish a base at Crown Point and then proceed to Ticonderoga, which would probably fall in June or July. The next objective would be Albany, whence contact would be made with an army from New York City. The second part of the plan called for an expedition from Oswego through the Mohawk Valley to the meeting place at Albany. The third phase of Burgoyne's plan was to have Howe dominate the Hudson River as far north as Albany. Success of the three parts, especially the first and third, would isolate New England, which could then be easily reduced.

Both the king and Lord George Germain approved this strategy by March 1777. Just as Burgoyne hoped, he was placed in charge of the expedition from Canada, and Carleton was informed in an insulting letter from Germain that he must cooperate fully. Unfortunately, the third phase was not adequately planned, possibly because Burgoyne was so confident of his own overwhelming success in the venture that Howe's role would be insignificant and possibly unnecessary. And Germain, instead of sending specific orders to move toward Albany, approved of Howe's campaign against Philadelphia, probably assuming that its swift conquest would leave Howe ample time to join Burgoyne at Albany.

On June 17, 1777, the opening stage of the three-cornered campaign began when Burgoyne, in command of some seven thousand British, Germans, Tories, Canadians, and Indians, left St. John's. This was a well-trained and disciplined force, which had nearly 150 pieces of artillery and considerable baggage. Its departure was accompanied with much pomp and ceremony, in keeping with what was expected to be the crucial move of the war, as well as with the publication of a diatribe by Burgoyne against the rebels. By June 30 this army reached the vicinity of Ticonderoga, the first objective, which was defended by General Arthur St. Clair. Two days later the British easily occupied Mount Defiance (or Sugar Loaf), one of the three hills that dominated the fort and that the Americans had failed to fortify. With British guns hauled to the top, Mount Defiance was to Ticonderoga what Dorchester Heights had been to Boston. On July 5 the defenders were forced to abandon the fort, along with most of its military stores. Within the next forty-eight hours both Fort Anne and Skenesborough were also in British hands.

Thus far Burgoyne's advance had been comparatively swift and without much American resistance. Thereafter, the situation changed. The British supply line from Canada became longer and more subject to attack by hit-and-run bands. The advance was slowed by the heavier forests through which the columns must pass and by the need to remove trees that retreating Americans felled across the trails. The Indian allies grew restless in the absence of plunder and in the knowledge that the enemy was becoming stronger. On the American side, General Horatio Gates replaced the unpopular Schuyler as commander of an

army being augmented daily by troops from all parts of America as a result of the understanding of what defeat would mean.

Burgoyne, appraised of his dwindling food supplies, sent Colonel Friedrich Baum and a band of Germans and Tories to Bennington, Vermont, to obtain cattle and horses, as well as "to try the affections of the people" and "to disconcert the councils of the enemy." But on August 16 this detachment was routed by General John Stark and a force of new recruits determined to protect their homes from inhumane Indian attacks (just a few weeks earlier the murder of Jane McCrea had occurred ⁶). Reinforcements under Colonel Francis Breymann suffered the same fate at the hands of the aroused Americans.

Burgoyne speeded his advance to reach the comparative safety of Albany, where he fully expected to join forces with the other two prongs of the campaign. On September 13 he crossed the Hudson, only to face an American army, well entrenched at Bemis Heights, which was increasing by the hour. Six days later he tried to turn the enemy left flank, located at Freeman's Farm, only to be hurled back by troops under General Daniel Morgan and Colonel Henry Dearborn. So desperate was his situation that Burgoyne sent an appeal to New York City for prompt aid.

That aid was not forthcoming. As a matter of fact, Clinton had already started up the Hudson before he received Burgoyne's plea and had captured Forts Clinton and Montgomery early in October. When he learned of Burgoyne's plight, he sent a fleet up the river to burn Esopus. However, the naval leaders were afraid to proceed farther north and returned to New York City for reinforcements. Things might have gone differently had Howe not diverted most of the troops to the Philadelphia campaign.

Nor was assistance available from the other prong. Under Colonel Barry St. Leger, some eight hundred British and Tories and nearly a thousand Indians had left Oswego on July 20. The initial objective was Fort Stanwix, reportedly manned by only sixty defenders. When the attacking force reached that outpost, however, it discovered that Colonel Peter Gansevoort had a command of 750 and that a relief column under General Nicholas Herkimer, eight hundred strong, was on its way. On August 8 Herkimer was ambushed at Oriskany by Joseph Brant's Loyalists and Indians, and half his complement became casualties, including Herkimer himself. Before the British victory could be made absolute, however, the Indians were frightened off by gunfire at Fort Stanwix. They might have believed it marked the approach of a mighty American army rumored to be in the vicinity; at all events, the tribes silently abandoned St. Leger and Brant. The loss of manpower and the effective sorties of Colonel Marinus Willett from Fort Stanwix prompted the British to return to Oswego. Thus, Burgoyne could expect no help from that quarter.

⁶ Jane McCrea was engaged to a Tory in Burgoyne's army. She went to Fort Edward with the expectation of meeting her fiancé there when the British troops arrived. She was killed, however, by some Indians who had been sent ahead by Burgoyne. The Americans played up this atrocity as a means of stirring up the inhabitants against the British advance.

The Defeat of Burgoyne. On October 7 Burgoyne made his last desperate effort to break through the surrounding lines. The real heroes that day were probably Benedict Arnold and Daniel Morgan, who inspired their men in a fierce countercharge that hurled the British back to Bemis Heights with heavy casualties they could ill afford. The next day the British moved to Saratoga, where they were quickly hemmed in by an American army three times their number. Because there was no hope for escape, on October 13 Burgoyne sought a cessation of hostilities. Four days later, with Gates hurriedly acceding to virtually all the British requests, was signed the "Convention" of Saratoga (this word, thought Burgoyne, was more honorable than capitulation or unconditional surrender). Under the terms of this agreement, the fifty-seven hundred Britons were to lay down their arms and surrender their equipment; they were then to be marched to Boston and transported to England, not to serve again in America.

These so-called Convention troops did reach Boston, but Congress became angered by the liberal terms Gates granted. To some members, they were unwise because Burgoyne's men could free a similar number of soldiers in Britain for service in America. Other subjects of complaint were the British failure to surrender a sufficient number of cartouche boxes, the delay of transports in arriving at Boston, the haughty letter Burgoyne wrote, and the apparent conniving of Howe to circumvent Convention terms. Consequently, early in 1778 Congress insisted that England had broken the Convention, and Burgoyne's troops were eventually sent to interior Maryland and Virginia, not to be released until the final treaty of peace.

The battle of Saratoga has generally been regarded by most military historians as the turning point of the Revolution. This was the first victory gained over a major part of the British army, and it boosted American morale everywhere. It also marked the last major campaign in the North. The defeat of Burgoyne was an important factor in bringing France openly into the war, and with the French alliance formed, Great Britain was forced to change her entire strategy.

The Capture of Philadelphia. Instead of participating in the three-cornered campaign, Howe believed that the seizure of Philadelphia could be accomplished easily. Its fall would be a grievous blow to American morale and would disrupt the work of Congress. Therefore, on July 23, 1777, he left New York City with fifteen thousand troops and sailed up the Chesapeake to Head of Elk, which he reached on August 25.

There, Washington disputed his advance to Philadelphia, first by placing all sorts of impediments in the Delaware River, and then by posting his ten thousand men along Brandywine Creek. On September 11 the British attacked, with Cornwallis concentrating on the American right flank, while General Wilhelm von Knyphausen and the German mercenaries moved against the center, anchored at Chad's Ford. Both attacks were successful; indeed, only the effective leadership of General Greene prevented a disorderly rout. Nine days later the

Americans lost again. General Anthony Wayne, with a division of fifteen hundred men, had the task of harassing the British flank. While he was at his base at Paoli, Pennsylvania, Loyalist spies revealed his position to General Charles Grey, who attacked it under cover of darkness. The British used their bayonets to kill three hundred of their opponents and wound severely seventy others in this Paoli "massacre."

These two victories enabled Howe to march triumphantly into Philadelphia on September 26. Congress had already fled in confusion, first to Lancaster, and then to the more remote York. The Philadelphians who remained, however, were prompt to avow their loyalty to king and Parliament. Outside of town, on the other hand, Washington continued to be a source of annoyance. At dawn on October 4 he opened a complicated maneuver against Germantown, where the main British force was encamped. But when the initial attack began with apparent success, the British, instead of forming their usual compact defense, split into small brigades and thereby threw the well-laid American plans awry. To make matters worse, some attacking brigades lost their way in the early morning fog; other detachments in their bewilderment fired on fellow Americans; still others, retreating in disorder, compelled hitherto successful American divisions to withdraw. For the second time in this campaign, Nathanael Greene came to the rescue by effecting a semblance of order that allowed a disciplined retirement from Germantown.

Some temporary consolation was gained when Colonel Christopher Greene and the defenders of Fort Mercer (Red Bank, New Jersey) on the Delaware repelled the numerically superior German troops led by Count Carl von Donop on October 22. Because American control of this fort threatened British communications along the Delaware, Cornwallis was sent with eight thousand troops to reduce it a month later. In the face of this powerful force, Greene evacuated the fort, which the British quickly dismantled. Thus, by the end of November 1777 there was no barrier to British shipping along the Delaware as far as Philadelphia.

THE AMERICAN REVOLUTION: TIDE OF VICTORY

*

The capture of Philadelphia marked the high point for the British during the Revolution. From the fall of 1777 until the end of the war the tide began to move slowly but surely in favor of the Americans. Indeed, even the Philadelphia victory for the mother country was offset by the Saratoga loss, which might have been averted had there been more definite instructions from London. American morale continued to improve after the opening of 1778, aided in no small part by the entrance of France into the war, and improved morale led to ultimate victory.

Valley Forge. To be sure, the winter of 1777-1778 did not start auspiciously for the American cause. Washington selected Valley Forge as his winter quarters, from which he could keep a watchful eye on British movements in and around Philadelphia. Ever since, the name *Valley Forge* has been synonymous with hardship and suffering. Much of that distress could have been avoided had there been more effective administration of the quartermaster and commissary departments. Congress was primarily responsible for the faulty management because of its dilatory tactics and meddlesome ways. In consequence, essential clothing and blankets were not available; three times the commissary ran out of provisions completely, and for long periods there was barely enough food. Indeed, it was these shortages, rather than low temperatures, that were responsible for the hardships, for that winter was actually less severe than normal. Had Washington's men been adequately clothed and fed, they could have withstood the cold. Scarcity of specie also played a part; the "sunshine patriot" preferred to sell his produce to the British for promised gold than to the Continentals for possibly unredeemable paper. Naturally, complaints were rife throughout the Valley Forge camp. As the army was decimated by illness and starvation, it became more difficult to obtain new recruits or to prevail upon regulars to extend their period of service.

On the other hand, there were some bright spots. Congress was finally impelled to reorganize the quartermaster and commissary departments, as well as to place them in charge of more competent men. Thus, although there were

repeated shortages later, they were as nothing compared to those of the Valley Forge winter. The other major turn for the better followed the arrival in camp of Baron von Steuben, who instituted a program of reorganization and training that transformed the American army from "ragged Continentals" into an efficient fighting force. Using a modified form of the Prussian system, he taught the men, through constant drill, how to march, how to deploy, how to load faster, and how to use the bayonet. In addition, he promoted more effective organization among the various branches: infantry, artillery, cavalry, and engineers. With this training, the troops acquired a morale that served them in good stead thereafter. As one writer has said, "Tested in the material and spiritual adversities of Valley Forge, and trained by Steuben, Washington's army was no longer a force for the British to take lightly."

The Conway Cabal. It was also during that grievous winter that the Conway Cabal occurred. Originally, this was regarded as an attempt to replace Washington with Gates; actually, there was no such conspiracy. Thomas Conway, an Irishman who had served in the French army and then come to America with other foreign officers primarily to improve his lot, became dissatisfied because he was not made a general. In September 1777 Conway wrote to Congress severely criticizing Lord Stirling, his commanding officer. The next month, in a letter to Gates, his complaints were directed against Washington himself. When the irate commander-in-chief learned about these charges, he vigorously rebuked Gates, who disclaimed any part in the incident.

Then, in late November, Congress, wishing to play a greater role in the management of the military phase of the war, named Gates president of the newly established Board of War, with Conway as inspector general. But the supporters of Washington were steadfast in his defense. Conway, fallen into disrepute because of his unsubstantiated attacks on his superiors, resigned from the service and after he had been wounded in a duel with Colonel John Cadwalader provoked by his charges, he apologized to Washington, stating how great was "his grief for having done, written, or said anything disagreeable." Shortly thereafter, both Gates and the Board of War lost repute. The whole affair proved to be simply a case of Congressional jealousy and individual bitterness, rather than a deep, dark plot to remove Washington.

The Evacuation of Philadelphia. Very different from Valley Forge was the situation in Philadelphia during the winter of 1777-1778. The British officers' time was spent in a round of gaiety: dinners, dances, theater parties, and all sorts of sports and diversions. The same was true for the wealthier Loyalists. The only dark cloud resulted from inflation, caused largely by lavish spending and comparative scarcity of many commodities. On appeal of the rank and file, who felt the pinch most, Howe did his best to enforce maximum prices through military decrees.

Although Howe was socially popular among the wealthy inhabitants, he became increasingly the object of criticism from many quarters because of his

failure to attack the Continental army at nearby Valley Forge. The general, despite the nearly twenty thousand troops at his command, took the position that this could be done more easily in the spring. Perhaps the gay life in Philadelphia and his mistress's charms could provide a more adequate explanation of his dilatory military tactics.

When spring came, however, the news arrived that Sir Henry Clinton had been named the new commander-in-chief.¹ Clinton, who reached Philadelphia on May 8, 1778, had instructions from Germain that were ambitious, but not clear. They included not only sending troops to capture St. Lucia and to seize Pensacola, but also dispatching forces to safeguard Canada. The most important order, however, was to evacuate Philadelphia, something the new commander heartily endorsed because he had never favored its conquest. The probable reason for this last order was the British knowledge of the French alliance. With the French fleet actively operating in American waters, the British might be unable to maintain the necessary lines of communication between the New York City headquarters and outlying posts. Although his orders stated that evacuation should be by sea, Clinton was in a quandary. Suppose the fleet carrying his army should be attacked en route to New York by a strong French naval force? The British would certainly be at a disadvantage, and possibly wiped out. Moreover, there were at least three thousand Loyalists who feared to remain in Philadelphia; he could not leave them to the mercy of bitter patriots, for to do so would discourage Loyalists elsewhere from supporting the royal cause. Then, too, Washington's army might reach New York first if Clinton went by sea, for the Americans were showing a certain activity at Valley Forge. Under the circumstances, the British commander decided to return to New York by way of New Jersey to South Amboy, and then by water over a shorter route. The transports could take the Loyalists, as well as some German regiments that might desert along the line of march.

The evacuation, lasting ten days, was completed on June 18. The army, with its long wagon train, began its hot march across New Jersey. Soon, Clinton had to change his plans. Learning that Gates was waiting to cut him off at the Raritan, he decided that Sandy Hook was a better objective than South Amboy, for from there the water trip to headquarters would be shorter and less hazardous.

The Battle of Monmouth. On June 19 Washington formally broke winter quarters and opened his pursuit of the long British column. He gave the task of harassing this extended line to Charles Lee, recently returned to service follow-

¹ The popularity of the departing Howe was indicated by the presentation of the Mischianza, a long and costly entertainment, purportedly staged by the versatile young Major John André, to show the army's and the Loyalists' affection for him. On his return to England, Howe's conduct was subjected to a Parliamentary investigation, which quickly turned into partisan political controversy. The general upheld all his actions in America in his "Narrative." Actually, Howe had not been removed from his command. He had tendered his resignation in November 1777, and the king had graciously accepted it in February 1778.

ing his exchange in March. At Monmouth Court House, Lee initiated an attack on June 28 to split the enemy. At first it appeared the British would be routed, but suddenly Lee's orders to both Lafayette and Wayne became confused and contradictory, so that the opening American advantage was lost. During the resulting chaos British reinforcements came up to plug the gap, and Lee ordered a retreat. Learning of the changed circumstances, Clinton, who had been hanging back to save his main army, advanced. Only Washington's arrival checked a precipitous American flight. After he denounced Lee in no uncertain terms,² the commander-in-chief did his best to correct the mistakes. His troops, given heart, then fought as they had been trained to do under the rigid disciplinarian Steuben, and repulsed Clinton's charges again and again. The original impetus and surprise had been lost, however, and the battle of Monmouth, instead of being a Continental victory, proved a stalemate.

That evening the harried Clinton sped to Sandy Hook, and from there reached New York City without further incident. Yet, during the march through New Jersey there were more casualties than had been incurred at Monmouth. Many deserted the British ranks, especially those belonging to German regiments, just as Clinton had predicted. Washington led his army to northern Jersey, crossed the Hudson, and by the end of July was watching British movements in New York City from his new base at White Plains.

The Newport Campaign. While Washington was moving to his Westchester base, the first open French assistance reached America. Count Charles d'Estaing, in command of a fleet of seventeen sails, approached New York in mid-July with the original purpose of attacking the city in conjunction with an American move by land. Without competent pilots, however, this maneuver was abandoned as too dangerous, and a joint campaign against Newport, Rhode Island, was substituted.

By the end of July 1778 d'Estaing reached the new objective, but the American land force under Sullivan was not ready to attack until August 8. By that time, however, the French admiral learned that Lord Howe with a large fleet was fast bearing down on his own squadron. Only a severe storm, which scattered the two fleets, prevented an important naval battle. D'Estaing had to retire to Boston for repairs; after they were completed, he sailed in November to help guard the French West Indies. Although Sullivan did make an attack on Newport near the end of August, he realized his inability to capture the town without command of the sea, and so retired from the scene.

War in the Hudson Highlands. The year 1779 saw comparatively little large-scale fighting in the North; instead, there were principally sporadic raids for local advantage. At the end of May, for example, Sir Henry Clinton tried to safeguard his position in New York City by gaining control of the Hudson

² Lee was subsequently court-martialed, and on July 4 was suspended from the service for misbehavior and disobedience. There is still a difference of opinion whether he was a traitor.

Highlands. On June 1 a British force captured both Stony Point and Verplanck's Point. It did not push its advantage further, however, for nearby West Point was guarded by a strong garrison, as well as by a chain across the river.

On July 15 the Americans retaliated when General Wayne, with his strong Light Infantry, a hand-picked body of men from every state especially drilled by Steuben at Valley Forge, regained Stony Point in a fierce encounter. While the American center fired upon the enemy garrison to hold its attention, two flanking moves were made by troops with guns unloaded but with bayonets attached, which stormed the fort with such vigor that all but one of the seven hundred defenders were killed, wounded, or captured. Three days later Wayne evacuated his conquest, but only after razing the fort and removing all military supplies. The following month Lighthorse Harry Lee emulated this achievement by storming Paulus Hook, the only important British post remaining in New Jersey.

During the summer there was some activity in southern New England. William Tryon raided a number of towns along the Connecticut shore that were endangering the British headquarters. The British did not continue to push their attacks, for by autumn Clinton had decided to make as many troops as possible available for the projected campaign against Charleston. Therefore, Stony Point, Verplanck's Point, and Newport were evacuated. Newport, once again in American hands, subsequently became the port of entry for Count de Rochambeau and his five thousand French troops when they arrived in America in the summer of 1780.

The Sullivan-Clinton Expedition. Throughout the war American frontier settlements were constantly subjected to raids by Loyalists and Indians. This was especially true in New York and Pennsylvania during 1778 and 1779 because of the activities of such men as Guy and John Johnson, John and Walter Butler, and an Indian, Joseph Brant. One of the targets in the summer of 1778 was the Wyoming Valley, which stretched for about twenty-five miles along the Susquehanna River.

At the outbreak of the Revolution most of the settlers there became patriots, subsequently furnishing more than a thousand men to the Continental forces. The Tories tried to help the royal cause chiefly by enlisting in the provincial corps commanded by Guy Johnson. Because of this local partisanship and the strategic importance of the valley, it naturally became a battleground. The most notable incident occurred in July 1778, when John Butler, leading a band of Tories and Indians, overran the valley to burn, behead, and otherwise ruthlessly kill hundreds of inhabitants. In New York a similar massacre was perpetrated in November at Cherry Valley by Walter Butler and Brant. This raid was featured by the murder of some forty prisoners by the uncontrollable Indians. Minisink, German Flats, and numerous other frontier communities were also ravaged that year. The only important American reprisal was staged against the Indian town of Unadilla.

As a result of the Tory-Indian raids, the Americans planned in early 1779

to wipe out that menace in New York. The command was first offered to Gates, who refused on the excuse that he was too old to embark on such an arduous campaign; therefore, John Sullivan became the leader, assisted by James Clinton. Washington's instructions were to effect "the total destruction" of Iroquois settlements and to capture hostages. Sullivan was delayed in starting because of the slowness of his fourteen hundred troops in congregating, the difficulty in obtaining provisions, and the commander's own dilatory tactics. Traveling from Easton through the Wyoming Valley, this part of the expedition did not reach Tioga, New York, until early August. Meantime, James Clinton, champing at the delay, organized his force at Canajoharie, whence he transported his bateaux overland—four horses were required for each boat—to Lake Otsego, dammed the southern end to float them into the Susquehanna, and joined Sullivan on August 22.

Sullivan had already burned Chemung, an Indian village from which the inhabitants had fled, and also Onaquaga. The combined army moved up the Chemung to Newtown (near the present Elmira), which was captured on August 29 after a miraculous escape from an ambush. From there, the Sullivan-Clinton expedition proceeded northwest as far as Geneseo, destroying many towns along the way. The original objective had been Fort Niagara, but Sullivan refused to move farther because of the approaching winter and scarcity of supplies. He turned back from Geneseo in mid-September, scattering more destruction among the tribes. According to his report to Congress:

The number of Towns destroyed amounts to 40, besides scattering houses. The quantity of Corn destroyed . . . must amount to 160,000 bushels, with a vast quantity of vegetables of every kind. . . . Except one Town . . . about 80 miles from Genesee there is not a single Town left in the Country of the five nations.

Yet, this expedition did not accomplish as much as Sullivan's optimistic report indicates. No hostages were captured. Although Indian villages were burned, the Iroquois, though weakened in many ways, were not destroyed. Moreover, the Tories, aghast at the barbarous actions of Sullivan's men, worse "than Pontiac or Brant ever exercised—putting even Wyoming to blush," became more loyal to England than before, and from Niagara they continued to ravage the New York frontier the following summer. Not until Colonel Willett's successful campaign in the summer and fall of 1781 were settlers in the Mohawk Valley freed from danger of Tory-Indian attacks.

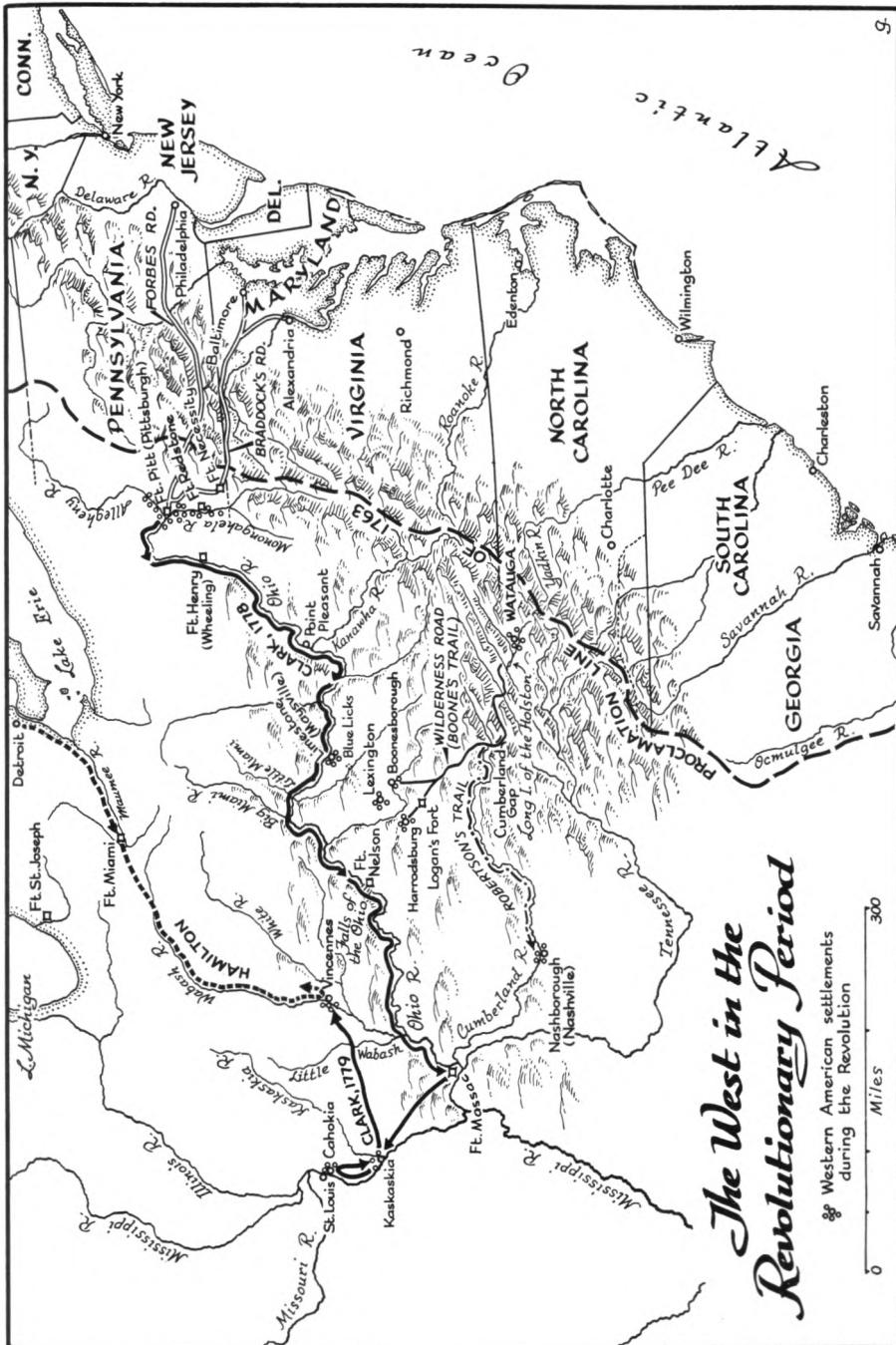
Possibly contributing to the military success of the Sullivan expedition was the less heralded one led by Colonel Daniel Brodhead from Pittsburgh into the Allegheny Valley about the same time. Numerous towns of the Seneca, Mingo, and Munsee were destroyed, along with hundreds of acres of corn. This campaign undoubtedly prevented the Indians of that area from joining the tribes opposing Sullivan.

Indian Attacks in the South. In the South the frontiers were in turmoil because of danger from Indian attack, the Cherokee in particular. As early as

The West in the Revolutionary Period

Western American settlements during the Revolution

0 Miles 300



1776 these tribesmen, angered by the continued colonial westward movement, attacked Watauga and settlements along the Holston River. Thanks to a warning given, rumor has it, by an Indian squaw, the whites were ready and beat off the raid. South Carolina took the lead in arranging a countermove against the Indians, and in the summer of 1776 some twenty-four hundred troops from North and South Carolina, with assistance from Georgia and Virginia, razed most of the Cherokee towns. Many tribesmen were driven into Florida and their chiefs were ultimately compelled to sign the Treaty of Long Island (July 1777), under which they ceded many acres of land to the victorious Americans.

There was comparative quiet along the southern frontier in 1778, although the next year the Cherokee, this time with numerous Indian allies, struck in the West again. But once more, the frontiersmen from North Carolina and Virginia laid waste the rebuilt Indian towns. In 1780 the Indians were encouraged by Loyalist military activity to rise again. After the overwhelming defeat of Major Patrick Ferguson's troops at King's Mountain, however, the tribes were once more beaten back.

War in the West. George Rogers Clark, an energetic militia commander at Harrodsburg, was becoming increasingly concerned about Indian raids in the West, which he blamed primarily on agitation by Colonel Henry Hamilton, the British commander at Detroit. The British leader had for some time been telling the tribesmen in the Illinois country that Americans were bent on destroying their homes and seizing their lands. Reports also had it that Hamilton was offering the Indians large bounties for American scalps, which caused him to be nicknamed "the Hair Buyer."

Governor Patrick Henry of Virginia was receptive to Clark's proposal to send an expedition into Illinois to end the menace, and the state legislature commissioned Clark as a lieutenant colonel to command 175 hardy frontiersmen. By May 1778 this band was moving down the Ohio, whence it set out for Kaskaskia, which easily fell on July 4. This victory was followed in the next few weeks by the capture of Cahokia, Vincennes, and several other posts. The middle of August found Clark in virtual control of the whole region, which was organized into Illinois County by Virginia before the end of the year.

Detroit was still in British hands, however, and from it Hamilton led an expedition that regained Vincennes in the middle of December. Clark was not slow to retaliate. In February 1779, setting out from Kaskaskia with 150 men, he marched across flooded and sometimes ice-covered plains to the outskirts of Vincennes. After obtaining ammunition and other aid from the inhabitants, and frightening off many of the enemy's Indian allies, he compelled Hamilton to surrender on February 25. To all intents, the fall of Vincennes ended military activities in the West, although there were a few desultory Indian raids in Illinois and Tennessee thereafter. Yet, outside of the spectacular and heroic phases of Clark's expedition, it actually had little effect on the war as a whole or on the treaty that concluded it.

The Treason of Benedict Arnold. Benedict Arnold, a leading figure in the capture of Ticonderoga, the campaign against Canada, the battle of Valcour Island, and the victory at Saratoga, began to feel, certainly not later than the spring of 1779, that his achievements had not been sufficiently rewarded with military promotion. This attitude, together with his lavish living and resulting debts and the criticism directed against him for his faulty military administration of Philadelphia, caused him to consider the possibility of obtaining compensation, monetary and military, by selling his country's secrets to the enemy. His young wife, Peggy Shippen of a prominent Tory family, may also have been an influence in this decision. Before the end of May, Arnold contacted Sir Henry Clinton, to whom he gave information about the movements of Continental forces. For a time these treasonable activities were suspended because the British general refused to pay the £10,000 Arnold demanded.

After Arnold was found guilty of abuse of military authority and officially reprimanded by Washington early in 1780, he renewed negotiations with the British, informing them that he could probably obtain command of West Point and then give Clinton its plans; thus, the fortress could easily be captured.³

By some means, Arnold persuaded Washington to place him in command of that strategic post in August 1780. He promptly arranged a meeting with Major André, Clinton's adjutant and a friend of Mrs. Arnold, at Haverstraw on September 21. There he gave André the West Point plans, as well as information about its weaknesses. Because the *Vulture*, which had carried André to the rendezvous, had been forced to move down the Hudson by American fire, the major decided to return to headquarters by land. He foolishly disobeyed Clinton's order by changing to civilian garb and was stopped by three militiamen near Tarrytown on September 23. They, probably looking for money, discovered the incriminating plans in his shoe. When André showed signs of anxiety, his captors took him to their commanding officer, who realized the importance of the papers. He did not suspect the culpability of Arnold, however, and informed West Point of André's capture. The dismayed general, on receipt of this news, hurriedly fled to New York City.

Upon learning of this treason, Washington immediately ordered a larger garrison to man the Point and to correct the weaknesses the plans had indicated. André was found guilty of spying by a court martial, despite his plea that he had entered American lines under a flag of truce. His subsequent actions, particularly in the use of civilian dress, changed his status, according to the court. Washington refused to intercede, and also denied him the privilege of being executed by a firing squad. On October 2 André was hanged near Tappan.

Arnold, on the other hand, received a brigadier-generalcy in the British army,

³ West Point had been constructed as a result of the ease with which the British had moved to Esopus in 1777. Begun early the next year, it consisted of a circle of forts and redoubts on the land side and was protected by a heavy chain extending across the Hudson. To Washington, West Point was the "key to America."

I do acknowledge the UNITED STATES of AMERICA,

do acknowledge the UNITED STATES of AMERICA, to be Free, Independent and Sovereign States, and declare that the people thereof owe no allegiance or obedience to George the Third, King of Great-Britain; and I renounce, refuse and abjure any allegiance or obedience to him; and I do ~~swear~~ — that I will to the utmost of my power, support, maintain and defend the said United States, against the said King George the Third, his heirs and successors and his and their abettors, assistants and adherents, and will serve the said United States in the office of Major General, which I now hold with fidelity, according to the best of my skill and understanding.

Sworn before me
the 28th May 1778.

Noth Greene My General

S. Washington

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Sworn before me this 28th May 1778 at the

Artillery Park Valley Forge Pa. Wm. Bladell

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Sworn before me this 12th May 1778 at the

Valley Forge S. Washington

more than £6,000 in cash, a life pension for his wife, and either military commissions or pensions for his children. In the British service he conducted raids against several posts in Virginia during the winter and early spring of 1780-1781, and later in 1781 against New London, Connecticut. With the coming of peace, he retired to England with his family.⁴

The Loss of Savannah. After the disastrous Saratoga campaign and the entrance of France into the war, British leaders decided to shift their field of operations to the South again, hopeful that this time the Loyalists would flock to the royal standard. Accordingly, when Sir Henry Clinton evacuated Philadelphia in the middle of 1778, he had orders to send an army to Georgia or Florida as soon as possible, and after overrunning the former, to follow up with the "comparatively easy" conquest of South Carolina. In November 1778 a fleet under Commodore Hyde Parker left Sandy Hook to transport Colonel Archibald Campbell's three thousand troops to the mouth of the Savannah River. Nearly a month later the expedition disembarked, only to find that General Augustine Prevost and the expected army from Florida had been delayed. Feeling that time was on his side, however, Campbell attacked at once.

Opposing this British force was General Robert Howe, in command of the American army in the South, located at Sunbury and numbering fewer than nine hundred. Howe put up a questionable defense, and the British took advantage of every opportunity to capture Savannah on December 29, with considerable Continental losses of men and supplies. Shortly afterward, Prevost finally arrived and added to American discomfiture by easily capturing Sunbury early in January 1779. Before the month was over, Campbell completed the rout by taking Augusta. The Continental army had to retire to South Carolina, leaving the British in full control of Georgia. The inhabitants "flocked by the hundreds" to profess their loyalty to the king, and Campbell promptly wiped out every evidence of Revolutionary authority. As Georgia was now "at the king's peace," the colonel also established a legislature under jurisdiction of the crown—the only one in the United States after the Declaration of Independence. Two subsequent American efforts to penetrate Georgia during March and April were easily beaten back.

Later in the year, when Admiral d'Estaing arrived with a large fleet and four thousand men off the Georgia coast, he persuaded General Benjamin Lincoln, who had replaced Howe after the loss of Georgia, to join him in an attack on Savannah. The siege opened on September 23, 1779, but Prevost put up an excellent defense. Finally d'Estaing, anxious for action, insisted on an assault

⁴ Arnold's life in England was by no means happy. Neither he nor his family was well received by London society, and his family was subjected to all sorts of abuse. In addition, Arnold invested his ill-gotten gains unwisely. It is said that just before he died in 1801, he confessed his error and asked to be buried in his American uniform.

before the enemy was sufficiently softened. As a result, the Franco-American forces, including Count Casimir Pulaski, were repulsed with heavy losses. Before the end of October the French fleet departed and the Americans withdrew again from Georgia, leaving the British in undisputed control.

The Fall of Charleston. Meanwhile, Clinton decided to end the campaign in Rhode Island in order to concentrate as much military strength as possible in the South. Just before Christmas 1779 he left New York with eight thousand troops, Charleston being his objective. Although he reached the South Carolina coast in early February 1780, he waited for reinforcements from Georgia before staging his carefully planned initial assault, this time by land. Not until the middle of April did the British—now numbering approximately fourteen thousand—open the siege of the city, defended by Lincoln and about eight thousand troops. The first break came when Fort Moultrie fell on May 6, which led Lincoln to realize the futility of holding out longer.⁵ Six days later he surrendered Charleston, along with fifty-four hundred men, several ships, and a huge quantity of stores—the greatest American defeat of the war. Before the month was over, Colonel Banastre Tarleton and his dragoons almost destroyed a Virginia regiment at the Waxhaws to make victory in South Carolina more complete.

On the assumption that South Carolina was assuredly under royal control, Clinton returned to New York City early in June 1780, leaving Lord Cornwallis and eight thousand troops to mop up the remainder of the South and to extend British jurisdiction there. At first, these assignments appeared easy. The only opposition came from marauding bands of riflemen commanded by Thomas Sumter, Francis Marion, and Andrew Pickens, which were certainly not strong enough, thought Cornwallis, to challenge the flower of the British army. Yet, much to his surprise, their tactics were sufficiently effective to prevent him from consolidating the British position as he had intended.

The Struggle for North Carolina. At about the time Clinton optimistically left for New York, Congress replaced the discredited Lincoln with Horatio Gates. The army of the new commander in the South consisted principally of men detached from Washington's forces, augmented by local regiments. At the end of July 1780 Gates took over in North Carolina, determined to destroy the enemy supply base at Camden, South Carolina. The long march to this objective tired Gates's men, who were already weakened by poor food and resulting dysentery; when they unexpectedly encountered Cornwallis just outside of town on the morning of August 16, they were at a decided disadvantage. Though some of the regiments, particularly those from Maryland and Delaware, fought bravely, others, especially those from North Carolina, fled literally without firing

⁵ Lincoln had been opposed to defending the city against such large numbers, but had been persuaded to do so by local Revolutionary political leaders. Had he followed his own wishes, he would have saved a large part of his army.

a shot. The real turn in the tide came when the British opened a gap in the American lines, the decisive move being the disruptive rear-guard charge of Tarleton's cavalry. Out of some four thousand American effectives in the battle of Camden, approximately nine hundred were killed or wounded and a thousand captured. The greatest individual loss was Baron de Kalb. Surely, this was an inauspicious beginning for the American reconquest of the South, and lent credence to Charles Lee's admonition to Gates that he had better watch out lest his Northern laurels change to Southern willows.

Gates retreated to Hillsborough, North Carolina, some 160 miles away, which he reached in three days, far ahead of his army—quite a feat, said Alexander Hamilton, for a man of his age. Even at that distance, Gates was not secure. Two days after Camden, Tarleton fell upon Sumter's guerrillas at Fishing Creek, South Carolina, decisively defeating them. Thus, the way was opened for British invasion of North Carolina early in September. At first it was undisputed, but gradually North Carolina patriots rallied to the Continental cause, and in far greater numbers than did Loyalists to the British.

The first sign of this revived American strength came at King's Mountain, on the border of the two Carolinas. There, some eleven hundred Loyalists, commanded by Patrick Ferguson, were holding down the British left flank. Suddenly and unexpectedly, they were attacked on October 7, 1780, by a band of nine hundred frontiersmen under Colonels Isaac Shelby, Benjamin Cleveland, and John Sevier. Though the Loyalists used their bayonets well, they were no match for the superior marksmanship of their opponents, and when the battle was over, the Loyalist survivors had all surrendered. This unforeseen setback not only compelled Cornwallis to retreat to South Carolina, but bolstered American morale. More and more volunteers from all parts of the South flocked to the Continental standard or joined the ever-increasing number of marauding bands. Also, the army in the South was undoubtedly strengthened when Congress replaced Gates with the abler Nathanael Greene.

General Greene took over his new post at Charlotte, North Carolina, in December 1780. He had only the shadow of an army—but twenty-three hundred men, of whom only eight hundred were fit for duty. Much as he may have wanted to do so, he could not make a direct attack on Cornwallis, then in winter quarters at Winnsboro, South Carolina. Instead, he sent General Daniel Morgan to secure the western part of the state and prevent Cornwallis from obtaining food supplies there, and Lighthorse Harry Lee and his dragoons to harass the line of communications between Cornwallis and Charleston.

That these moves were effective is indicated by the fact that Cornwallis ordered Tarleton to drive Morgan toward the main British army, which would then rout the annoying Americans. Morgan, however, picked an excellent location near Cowpens, where he stationed his men strategically. Thus, when Tarleton attacked on January 17, 1781, he was overwhelmingly defeated. This time it was the American cavalry, under the outstanding leadership of Colonel William Washington, that won the day.

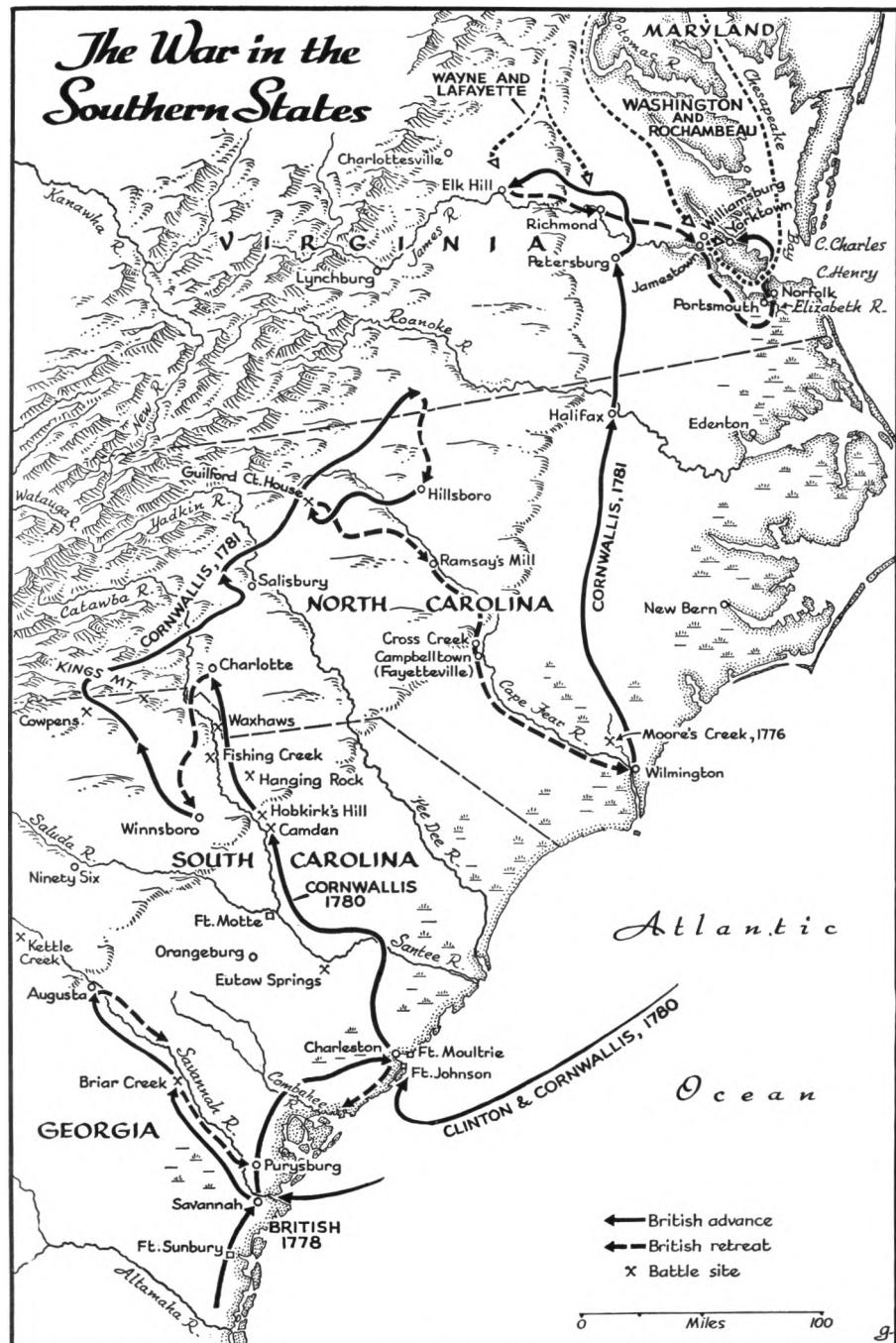
Guilford Court House. Cornwallis, stung by this loss, then moved against Morgan, who, greatly outnumbered by the main British army, retreated into North Carolina, where he rejoined Greene's forces in early February 1781. Because Greene was still not ready for a major engagement, he withdrew across the Dan River into Virginia. The pursuing Cornwallis, without adequate supplies and the more important bateaux, could not follow.

Greene soon received reinforcements that brought his effectives up to nearly forty-five hundred, and decided that the time was ripe to strike. Moving back into North Carolina, he met the British at Guilford Court House on March 15. Although the Americans were driven from the field, Cornwallis suffered some five hundred casualties, many of them valuable officers. As Horace Walpole wrote about this British "victory," "Lord Cornwallis has conquered his troops out of shoes and provisions and himself out of troops."

The Americans, though failing to achieve victories, continued to harass their opponents. Greene was defeated in three encounters in South Carolina during the next six months: at Hobkirk's Hill in April, in the siege of Ninety-Six in May and June, and at Eutaw Springs in September. These campaigns, together with the worrying tactics of Lee, Marion, and Sumter, prevented the enemy from consolidating its control in South Carolina. No British post in the interior was safe, and the possibility of obtaining local supplies constantly diminished. Thus, by September 1781 the only part of the state where Cornwallis could claim control was the ever-narrowing circle around Charleston.

The Campaign in Virginia. Even while Greene and his lieutenants were pressing the British in the interior, Cornwallis concluded that ultimate victory in the South in particular, and in America generally, depended upon vanquishing Virginia, the principal American supply base as well as the training ground for Continental recruits. Therefore, in late April 1781 he set out from Wilmington for Petersburg, where he consolidated with Arnold's men, who had been raiding in Virginia since the previous December. Soon Cornwallis had seven thousand under his command, vastly outnumbering the opposition forces under Lafayette. Hence, the Americans were unable to prevent a series of sorties that penetrated as far west as Charlottesville, recently made capital of the state, where Tarleton just missed capturing Governor Jefferson and several members of the Virginia Assembly on June 4. Before the end of the month, however, Generals Wayne and Steuben arrived with so many reinforcements that Cornwallis knew he must reach the coast, not only to protect his base of supplies, but to keep open his communication by sea with Clinton in New York. The site he selected was Yorktown on the York River, to which he withdraw on August 1. Immediately, Lafayette, who had been snapping at his heels, threw a cordon around the Yorktown peninsula.

The Yorktown Campaign. Meantime, toward the end of May 1781 Washington held a council of war with Rochambeau in Connecticut, in which they agreed on a joint attack on New York City, aided by Admiral de Grasse's fleet



from the West Indies. When Rochambeau sent the admiral this information, he left de Grasse the option of moving against either New York or Virginia. Early in July the French general abandoned the campaign in Rhode Island to combine with Washington's troops, located north of Manhattan Island. There was every indication that New York City was the objective. Washington received a message from de Grasse in the middle of August, however, that he was ready to leave the West Indies for Chesapeake Bay with his whole fleet and about three thousand men.

Immediately the Franco-American troops began a forced march to Virginia, though making it appear that New York was still the principal target. For example, after crossing over to New Jersey, this combined army made a feint against Staten Island. Thus, Clinton was forced to remain in the British headquarters.

While the troops were moving overland toward Yorktown, de Grasse reached Chesapeake Bay on August 30, where he quickly established a blockade of the James and York rivers, both to prevent Cornwallis from escaping and to end the possibility of his receiving aid by sea. The next day the French troops were landed to strengthen the cordon under Lafayette. De Grasse could not have arrived at a more opportune time, for on September 5 Admirals Samuel Graves and Samuel Hood sailed to the Chesapeake with their British fleet. In the ensuing naval encounter off the Virginia capes, the French proved too strong and badly damaged five enemy ships. Then, on September 9 Admiral de Barras arrived from Rhode Island with several more French warships. Realizing the futility of another battle, the British sailed back to New York, ostensibly for repairs. The allies had undisputed control of the Chesapeake.

Meantime, Washington and Rochambeau reached Head of Elk on the Chesapeake, having marched two hundred miles in fifteen days. There, they and their troops were picked up by French ships and transported to Williamsburg by September 24. Just a few days later they joined the forces already dogging Cornwallis, to make a total army of about nine thousand Americans and seventy-eight hundred French.

On September 30 Cornwallis withdrew from his outer line of defense, a move enabling the allies to bring up to the abandoned perimeter their heavy guns that could reach all sectors of the narrowed British positions. These cannon opened a deadly fire on October 9, to mark the beginning of the end. Five days later two important redoubts on the British left flank were captured in a heroic charge in which Colonel Alexander Hamilton played a prominent role. All efforts to regain these posts were repulsed. With the land opposition growing stronger and moving inexorably closer, and with escape by sea out of the question, Cornwallis, on October 17—the fourth anniversary of the Saratoga Convention—indicated his wish to surrender. Two days later some eight thousand British troops marched between the lines of victorious French and Americans in token of capitulation, accompanied by a military band playing "The World Turned Upside Down."

Clinton, finally realizing he had been tricked, decided that reinforcements

must be sent to Cornwallis because, as he wrote to Lord Newcastle, "if Cornwallis's Army fails, I shall have little hopes of seeing British Dominion Re-established in America." Therefore, in early October he prepared to lead seven thousand troops to Virginia, but delays of various sorts prevented their departure until October 10. When the transports were off Cape Charles, Clinton learned of the surrender and returned to headquarters in dismay.

To all intents and purposes, the battle of Yorktown ended the military phase of the Revolution. The surrender of Cornwallis was received with joy throughout the states; religious services, cheering crowds, banquets, salutes, and dancing followed reception of the glad tidings. In Paris there were similar celebrations. In England, on the other hand, the news was attended with shock and dismay. Lord North is reported to have cried, "Oh God! It is all over!" The British government virtually abandoned efforts to continue the American phase of the war in favor of concentrating on defeat of France and Spain. Thus, when Sir Guy Carleton reached New York in May 1782 to replace Clinton, he promptly issued orders to evacuate the several garrisons along the coast. Indeed, Wilmington had already been given up in January, and Savannah was relinquished in July, followed by Charleston in December. During that year the only fighting consisted of small skirmishes, principally along the frontiers. The last military action in the East was a short and inconclusive encounter along the Combahee River in South Carolina in August, although partisan strife continued for some months thereafter.

American Naval Exploits. In addition to those navy efforts in conjunction with the army—on Lake Champlain, for example, and in the Yorktown campaign—there were many independent exploits in which the Continental navy, or more frequently, its individual ships, were engaged. The first expedition of the Continental navy was far from auspicious. Under Esek Hopkins it set out for the Chesapeake in mid-February 1776 to attack the fleet supporting Lord Dunmore in Virginia. Hopkins, realizing that his heterogeneous flotilla of eight former merchant ships was not strong enough, changed his objective to New Providence Island in the Bahamas, rumored to hold valuable military stores. On March 3 and 4 he landed two hundred marines—in their first amphibious action—and fifty seaman, who captured Forts Nassau and Montague after only token resistance. The booty included more than a hundred cannon and mortars and large quantities of ammunition and other material, but not the desperately needed gunpowder, which had been successfully hidden.

On the return trip several small British ships were captured, but the larger *Glasgow* escaped, principally because of Hopkins' failure to pursue his advantage. A subsequent court martial found him not guilty, but Congress censured him and dismissed him from the service early in 1777.

The most publicized naval hero was John Paul Jones, a Scotsman by birth, who was commissioned in December 1775. With his first command, the *Providence*, he captured sixteen enemy ships the following year. Promoted to a captaincy as a result, he spent most of 1777 and 1778 attacking merchantmen

near the British Isles and retiring to friendly French ports when the English pursued him. In the spring of 1778 he captured three prizes in the Irish Sea and even made spectacular landings in England and Ireland.

Jones was then placed in command of the *Duc de Duras*, a worn-out French merchantman, in January 1779. After refitting it, placing more guns aboard, and gathering a motley crew, including marine marksmen, he renamed it the *Bonhomme Richard* in honor of Benjamin Franklin. Jones sailed from France in August, accompanied by one American and four French ships. Late in the month he encountered a large fleet of British merchantmen, convoyed by the heavily gunned *Serapis* and the lighter *Countess of Scarborough*, near the English coast. He immediately attacked the *Serapis*, which, with its heavier armament, almost sank the *Bonhomme Richard*. The American ship was also placed at a disadvantage when two of its larger guns exploded. The British captain, sensing easy victory, called on Jones to surrender, only to be answered with, "I have not yet begun to fight." Jones lashed his ship to the *Serapis* to keep from foundering, and used the marines in the rigging to pick off many a Briton, while a grenade touched off a powder magazine on the deck of the *Serapis*. The three-hour battle, conspicuous for considerable bloodshed on both sides, finally ended with the *Serapis* lowering its colors. The following day the badly damaged *Bonhomme Richard* sank, but Jones brought the *Serapis* into a French port. The *Countess of Scarborough* was captured as well by one of the French ships.

Captain John Barry emulated Jones's achievements in 1781. Sailing in the *Alliance* from France, he was attacked by two British privateers in April. After a stubborn fight he forced both attackers to surrender. At the end of May he was overtaken by two enemy men-of-war. When it appeared as though the *Alliance* would be defeated, a sudden wind enabled the wounded Barry to sail between his opponents. Thanks to superior marksmanship, the Americans compelled both enemy captains to strike their colors.

Altogether, during the war the Continental navy captured nearly two hundred British ships, mainly supply vessels, from which were obtained needed materials to the value of \$6 million. On the other hand, its own losses were very great; indeed, only three of its ships were afloat at the end of the war.

The Penobscot Defeat. The most ambitious, and most unusual, enterprise of a state navy was the expedition against Penobscot. In June 1779 the British seized the important trading post of Castine, located on Penobscot Bay in Maine. As this capture was a blow to her both militarily and economically, Massachusetts took immediate steps to recapture the post. In one of the greatest American naval efforts of the war, a fleet of two Continental ships and seventeen Massachusetts naval vessels and privateers was prepared, with a complement of two thousand men commanded by Captain Dudley Saltonstall, with Lieutenant Colonel Paul Revere in charge of artillery, and with an armament of more than three hundred guns. Accompanying this squadron were twenty-

four armed transports, carrying some fifteen hundred militia under Brigadier General Solomon Lovell.

In late July the expedition reached Penobscot Bay, where Lovell's militia made an effective landing in the face of strong enemy fire, but Saltonstall failed to give the necessary protection. Meantime, the British in New York, learning of the Massachusetts plans, sent a fleet of ten ships, under Sir George Collier and carrying more than fifteen hundred men and about 250 guns, to rescue the garrison at Castine. The two flotillas came to grips off Penobscot on August 14. Taken by surprise, Saltonstall's men became panic-stricken, and most of their ships were run ashore and set afire, or tried to escape by sailing into nearby rivers. The rout was soon complete; the few ships the British did not capture were destroyed by wreck, fire, or enemy guns. Most of the militia escaped, however, and returned home by land.

A subsequent investigation by the Massachusetts Assembly revealed that the whole expedition was "bad in conception, bad in preparation, bad in execution," and so "naturally ended in disaster and disgrace." Most of the responsibility was laid to the "want of proper Spirit and energy on the part of the Commodore"; therefore, Saltonstall was court-martialed and dismissed from the service. About £1.75 million had been spent by Massachusetts in this fiasco, although she was able to charge most of it to the Continental navy. However, the Massachusetts fleet never recovered from its losses.

Privateering. The importance of American privateers may be learned from a Parliamentary report in 1778, which estimated that 733 English ships, valued at more than £1.8 million, already had been captured by these privateers, and that maritime insurance rates for ships without convoy had increased sixfold as a result. This report was undoubtedly exaggerated, however, for the best estimate is that roughly six hundred enemy ships, including eighteen men-of-war, and valued at some \$18 million, were taken throughout the war by these American commerce raiders. But it has been asserted that they carried the burden of American naval operations in the latter part of the war.

Demobilization. On May 26, 1783, Congress granted terminal furloughs to the troops who had signed for the duration, together with certificates for three months' discharge pay. Within a month most of the Continental army personnel had left for their respective homes from the encampment near Newburgh. By early November, with the exception of a handful of troops, formal discharges had been given.

That handful remained with General Washington to supervise British evacuation of New York City, which took place on November 25. By December 4 the defeated enemy had also retired from both Long Island and Staten Island. On the same day the commander-in-chief bade farewell to his loyal officers in a stirring and sad ceremony at Fraunces Tavern in New York City. Just before Christmas he resigned his command to "take . . . leave of all the employments of public life."

The Society of the Cincinnati. Meantime, in June 1783 General Knox suggested that the Continental officers, who had been on most intimate terms during the war, form an organization to perpetuate such friendship. So well was this proposal received that the Society of the Cincinnati (after Cincinnatus, the Roman general) was established at Fishkill, New York, with Washington as its first president. Eligible to join were all officers and their eldest male descendants. The major objectives of the Cincinnati were to develop a closer union of the states and to raise funds to aid widows and orphans of men who had died during the war. Subsequently, the society aroused vigorous opposition among democratic elements in the United States, who regarded it as a movement to strengthen aristocracy in the new nation.

War Casualties. No adequate record of war casualties was kept. The Office of the Adjutant General listed only 4,004 killed during the hostilities, and but 6,004 wounded. No effort was made to ascertain the number dying from disease and other causes. Considering the length of the struggle and the inadequate medical care, the official totals must be far from correct.

REVOLUTIONARY DIPLOMACY AND FINANCE

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On November 29, 1775, Congress took the first step in the diplomacy of the Revolution when it appointed John Dickinson, Benjamin Franklin, Benjamin Harrison of Virginia, John Jay of New York, and Thomas Johnson of Delaware as a committee "for the sole purpose of corresponding with our friends in Great Britain, Ireland and other parts of the world," and agreed "to defray all such expences as may arise by carrying on such correspondence." Early in December this so-called Committee of Secret Correspondence wrote to Arthur Lee of Virginia, a colonial agent then in England, who had traveled widely in Europe and spoke several languages, asking him about European opinion regarding the American situation. A week later Franklin renewed his correspondence with one Charles Dumas, a young student of international law then in Holland; the purpose was to have Dumas learn from the various foreign diplomats at the Hague whether their respective countries might give aid or even ally with the American colonies. Dumas was subsequently placed on the American payroll and sent regular reports to Congress.

Early Negotiations with France. More formal action was taken on March 3, 1776, when the Committee of Secret Correspondence commissioned Silas Deane of Connecticut to go to France, the country deemed most likely to help because of her enmity toward England. Deane, posing as a buyer of goods "for the Indian trade," was actually to try to obtain "clothing and arms for twenty-five thousand men, with a suitable quantity of ammunition, and one hundred field pieces" on credit.

The committee was correct in its assumption that France was the logical country from which to seek assistance. Ever since the humiliating Treaty of Paris of 1763, she had been rebuilding her military and naval strength in anticipation of the day when the British insult could be wiped out. First under Etienne-François, Duc de Choiseul, and now under Charles Gravier de Vergennes, both of the Foreign Office, she promoted plans to cripple her enemy. Since 1764 French agents had been constantly sending firsthand reports about the progress of the rebellious spirit in America, and perhaps they even served

as "fifth column" agitators. The most prominent of such agents was Archard de Bonvouloir, who personally assured Congress in late December 1775 that his country was receptive to aiding the colonies in two ways: furnishing them with various types of material aid, and allowing American ships to enter French ports. And the committee told Bonvouloir, in turn, that the militant attitude of America was no mere flash in the pan; it was probably the prelude to complete independence from Britain. The Bonvouloir offer, together with similar ones from other French agents, undoubtedly played a part in the Congressional decision of April 6, 1776, to open American ports to all but British ships.

Meantime, Foreign Minister Vergennes, either on his own initiative or motivated by that unusual figure Pierre Augustine Caron de Beaumarchais, the playwright turned diplomat who had become sympathetic to the American cause while on a mission to London, began to consider the possibility of secret aid. If such assistance enabled the English colonies to break away from their mother country, France would have partially avenged the 1763 humiliation. If the colonies managed to put up a lengthy struggle before being subdued, England would also be materially weakened, and France thereby stronger in comparison. But Vergennes would have to act under cover for several reasons. In the first place, he was not certain about the strength or intentions of those colonies. Would they actually proclaim their independence? Would they have the power to maintain it? Moreover, French aid, if discovered by England, might lead France into a war for which she was not prepared, especially financially. Anne-Robert-Jacques Turgot, the minister of finance who knew how close to bankruptcy the national treasury really was, constantly opposed any unusual expenditures; secret aid would certainly come under that category. Louis XVI, figurehead that he was, would also have to be won over; he believed in the divine right of kings, and helping rebellious colonies of another sovereign would not be consistent with that view, particularly if such help led to another French disaster. In sheer numbers, the greatest opposition would come from the French nobility, who knew that the rights and privileges they enjoyed under the *ancien régime* might disappear once the leveling tendencies in America reached France.

Despite this varied opposition, Vergennes went ahead. On March 1, 1776, he contacted Jeronimo Grimaldi, the Spanish foreign minister, and found him receptive to joint Franco-Spanish assistance. With such anticipated support, Vergennes next approached Louis XVI, whom he persuaded early in May to grant a million livres (a livre was worth about twenty cents) for the purchase of ammunition to be sent to America—provided, of course, that the source could not be traced. With this original capital Vergennes and Beaumarchais established Roderigue Hortalez et Cie., the agency through which French—and shortly after, Spanish¹—material assistance was sent to America. The most important item was gunpowder, desperately needed for the Continental forces.

¹ The Spanish firm of Gardoqui and Sons likewise was instrumental in sending munitions and the like to the Americans in 1777 and 1778. Arthur Lee was the American agent.

It has been estimated that during the first thirty months of the Revolution America relied on Europe for 90 per cent of its supply; the greater part was procured through Hortalez et Cie.

It was with Beaumarchais that Deane negotiated after his arrival in France in July 1776. The wily Frenchman quickly prevailed on Deane to sign a contract to pay for any munitions sent by the fictitious company, even though Beaumarchais was being subsidized by both France and Spain. This contract, which Congress subsequently approved, stipulated also that all commodities were to be sent at America's risk, with payment at some future date. Though this agreement later provoked considerable controversy, during the course of which Deane was charged by many Americans with lining his own pockets, it did provide the United States with at least three hundred thousand pounds of gunpowder, thirty thousand guns, two hundred cannon, one hundred thousand cannon balls, clothing for thirty thousand men, and numerous other items. These served the Continental army in good stead; it has been asserted that several battles, notably that of Saratoga in 1777, could not have been won without this French assistance.

The Plan of 1776. On June 7, 1776, another diplomatic step was taken when Congress entertained the Richard Henry Lee motion, part of which stated "that it is expedient forthwith to take the most effectual measures for formulating foreign Alliances." In line with this motion, a committee of five drew up a model for commercial treaties with other countries that was commonly called the Plan of 1776. Adopted on September 17, it included the theory that free ships meant free goods, defined contraband (which did not include food or naval stores), insisted on proper treatment of neutral ships, and repudiated the Rule of 1756 by advocating the right of neutrals to journey between ports of a belligerent nation. This Plan was to be the basis for all but one of the commercial treaties to which the United States was a party for the remainder of the century.

The next step, taken near the end of September, was the Congressional appointment of a special commission of Deane, Franklin, and Jefferson to negotiate treaties. Jefferson declined the post, asserting that his wife's illness, together with other troubles, necessitated his remaining in America; Arthur Lee therefore took his place. This commission was instructed to concentrate on France, first to obtain a commercial treaty in which the United States could make special concessions—such as the most-favored-nation clause² and the refusal to return to British sovereignty under any circumstances. In addition, the members were instructed to obtain as many guns and as much ammunition as possible from France, together with several volunteer engineers. If British objections to such a treaty led France into war, no separate peace would be

² This provided that one signatory would grant to the other the same privileges it was extending to a third party.

made by either signatory. To facilitate negotiations, the commissioners were authorized to borrow as much as two million livres. Nothing was said in these instructions about a treaty of alliance.

Franklin did not arrive in France until early December 1776, but he immediately assumed leadership of the American mission. He was helped by his own prestige as a scientist and philosopher that had preceded him, by his personality and charm, by his ability to anticipate public opinion, and by the fact that neither the careless Deane nor the unstable Lee was very popular in France. The comparative failure of American arms throughout most of 1777 prevented Franklin from accomplishing his objectives.

Congress, however, continued to be hopeful about other countries, as shown by the appointment of commissioners to Prussia, Austria, Spain, and Tuscany.³ These men, as well as the commissioners to France, were authorized at various times to grant special concessions to those countries to induce them to sign treaties. No success accompanied their efforts. At home, in April 1777 the Committee of Secret Correspondence was strengthened and reorganized as the Committee for Foreign Affairs.

The French Alliance. The news of Burgoyne's defeat at Saratoga in October 1777, which reached France in December, quickly changed the French attitude toward the war in America. Now it appeared as if the United States would have an excellent chance of winning the struggle. Moreover, France learned that the British ministry was ready to offer America the most conciliatory terms thus far; were they to be accepted and the breach in the British Empire healed, England would soon be strong again. To prevent such an eventuality, Vergennes believed that the time was now ripe to change secret help to an open alliance. He could justify such a change of heart by reasoning that the United States had been fighting for nearly three years and "have up to the present maintained a sort of superiority." In addition, independence had been declared and maintained since Deane first arrived. As a further inducement, France could humiliate her natural rival, "a perfidious enemy who never knows how to respect either treaties or the rights of nations." Such a treaty would surely lead France into war, but "it is better to be beforehand with one's enemy than to be anticipated by him." Vergennes was certain that "the independence of the Colonies is so important a matter for France, that no other should weaken it."

Accordingly, early in January 1778 Vergennes asked both Franklin and Deane how France could prevent their country from accepting the anticipated British conciliatory proposal. Franklin's reply was that France should immediately sign treaties of alliance and commerce. These treaties would give the United States such renewed confidence that she would reject every British offer that did not include specific acknowledgment of American independence. Silas Deane uttered practically the same opinion, but he extended the demands.

³ Franklin and then Arthur Lee were made commissioners to Spain, Ralph Izard was sent to Tuscany, and William Lee tried to persuade Austria and Prussia to give aid.

France must declare war on England at once; she must make new loans to the United States, and attack English possessions in the New World, conquering them for the United States if possible. Vergennes delayed a little longer in an effort to bring in Spain as well, but when Spain refused, and when his fear mounted lest the United States accept the British offers, he decided on January 17 to agree to the American proposals.

Not until February 6, however, was the Treaty of Alliance concluded, and it was not formally announced until March 13. This treaty provided that if France were drawn into the war, the two signatories should "make it a common cause." The "essential and direct end" of the alliance was to ensure "the liberty, sovereignty and independence" of the United States. Both parties agreed to support each other's territorial aspirations. France should give the United States a free hand in extending its own domain on the North American continent and in Bermuda, with France renouncing any desire for either area. On her part, the United States would not interfere with French conquests in the Gulf of Mexico. Finally, neither signatory should "conclude either truce or peace with Great Britain without the formal consent of the other first obtained; and they mutually agree not to lay down their arms until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war." Other nations "who may have received injuries from Great Britain" were invited to join this alliance. Although the terms of this treaty went beyond the commissioners' instructions, Congress ratified it on May 4, 1778. English agents knew about this treaty almost before the ink was dry.

A second treaty, one of amity and commerce, was drawn up at the same time. It included the most-favored-nation clause and the concept that free ships made free goods, defined contraband, and denied to countries with whom either might be at war the right to fit out privateers in their ports. This was the first commercial treaty signed by the United States.

Both treaties were of untold benefit to America. In addition to the material help gained through these agreements, the United States was aided by France's entrance into the war in June 1778—without a formal declaration. Furthermore, the Treaty of Alliance was a contributing factor to American rejection of British conciliatory offers in 1778. The treaties likewise raised American morale and may have influenced other nations to conclude commercial treaties with the new nation France had at last officially recognized.

Spain in the Revolution. Even though Spain in 1776 was willing to grant secret assistance to the English colonies, she consistently refused to give open aid or to ally with the United States. Indeed, she showed considerable displeasure when France signed the Treaty of Alliance of 1778. It is easy to understand the Spanish position. Not only did she favor the divine right of kingship, but, what was more important, she was worried lest the independence movement spread to her own colonies. And how could she logically frown on such a trend if she aided the English colonies to break away from their mother country?

In spite of French efforts to bring her into a triple alliance, Spain stubbornly refused. Her competent new foreign minister, Count José de Floridablanca, played a crafty game during most of 1778 and early 1779, working both ends against the middle. Because Spain wanted Gibraltar, Floridablanca informed England that it was his country's price for remaining neutral; at the same time, he carried on negotiations with France, the substance of which was that Spain would enter the war on the side of France (but not as an ally of the United States) if France would continue to fight until Gibraltar was captured. England, worried about another enemy, did send the Hussey-Cumberland mission to Spain, but the loss of Gibraltar was too big a price for her. Finally, on April 3, 1779, Floridablanca delivered his ultimatum: if Spain regained that fortress, she would not only remain neutral, but work for a quick peace under which England would keep the area around New York City, Rhode Island, a goodly part of Georgia, and all the Northwest. Little did it matter to the Spaniard that such an agreement would injure the United States or that it would be contrary to the French Treaty of Alliance. England continued to refuse; even war with Spain was preferable to virtual recognition of the United States at that time and to the loss of Gibraltar.

This English rejection was the last barrier in the way of the French proposal. On April 12, 1779, a secret arrangement, the Convention of Aranjuez, was concluded between the two Bourbon countries. Under it, Spain agreed to enter the war on France's side, while France promised not to sign any peace treaty that did not include Spanish acquisition of Gibraltar. The United States was not a direct party to this Convention, but she was affected by it. Spanish participation in the war would help by diverting English attention from the American phase of the war, but she was possibly hurt by the promise of France not to stop fighting until Gibraltar changed hands. And Spain, despite her refusal to recognize the United States, was indirectly committed not to make peace until American independence was recognized by England. Two months after this secret agreement was signed, Spain entered the war. The Spanish fleet, combined with the French, greatly strengthened the naval forces opposed to England. Spanish troops were engaged primarily in the Old Southwest.

On September 28, 1779, John Jay was named as commissioner to Madrid, with instructions to obtain treaties of alliance and commerce; in the former, he should try to have inserted Spanish recognition of American independence. He should also attempt to gain free navigation rights on the Mississippi and a port south of the 31st parallel. In return for these, he was to promise that the United States would place no barrier in the way of Spanish reconquest of the Floridas. Finally, he should seek a subsidy, or failing that, a loan, of five million dollars. Jay's mission, which lasted from January 1780 to May 1782, was by no means successful. As he never obtained a formal audience with the Spanish authorities, he was never able to press the Congressional proposals, even though Congress sent over a series of new instructions from time to time that considerably lessened the American demands. His only success was in borrowing approximately \$175,000. The importance of his mission, however, was that he grew to suspect

more and more the intentions of both France and Spain toward the United States. This was especially true after he learned of Vergennes' efforts in February 1781 to promote an early truce, somewhat along the lines of the Spanish ultimatum of April 1779, including the provision that England might keep large areas of the United States. And it was this suspicion, not entirely unfounded, that caused Jay to support the later movement for peace negotiations without the presence of France.

The Armed Neutrality. While Jay was marking time in Spain, Catherine II of Russia was becoming increasingly angry at the way the British navy was threatening Russian ships. Because she could do little alone, she asked other neutrals to join her in establishing a League of Armed Neutrality that would define neutral rights and be at the same time a warning to England that if she did not mend her ways, she would be faced with new enemies. Starting with Denmark in July 1780, seven countries⁴ agreed to the Russian proposal.

The five major principles for which the League stood were (1) that neutral ships should be allowed to sail freely between ports of a belligerent country; (2) that free ships made free goods, with the exception of recognized contraband; (3) that treaties should determine what contraband was; (4) that a blockade must be effective and established in the vicinity of the port or area under blockade; and (5) that legality of prizes must be determined by the foregoing principles. Throughout the remainder of the war the threat of possible reprisal from the League members caused Britain to relax somewhat in her efforts to blockade both France and Spain. The United States, believing that the League indicated friendship or sympathy to the American cause, sent Francis Dana as commissioner to Russia in December 1780. He was not, however, to accomplish anything.

Holland Enters the War. Holland, or the Netherlands, became the battle-ground of diplomatic efforts as the war progressed. The United States wanted an alliance with her in order to strengthen commercial relations and obtain monetary aid. Congress therefore appointed Henry Laurens as first American commissioner to The Hague, but his capture on the high seas by the British led to the naming of John Adams as a replacement. Adams arrived in June 1780, but for many months was unable to accomplish anything of importance. One of the barriers was France, which wanted Holland neutral, because in that capacity she could transport goods from the French West Indies to France without interference, and also because France wanted all the loans that Holland was ready to make. England, the third contestant, preferred to bring Holland into the war as her enemy; only by that means could she cut the growing Dutch commerce, especially the trade in contraband among France, the Dutch West Indian island of St. Eustatius, and the United States. This trade, illegal from the British point

⁴ The others were Sweden, the Netherlands, Prussia, Portugal, Austria, and the Two Sicilies.

of view, and at the same time highly beneficial to the United States, had become so large that in slightly more than a year more than three thousand ships stopped at small St. Eustatius. Perhaps one important reason for Holland's joining the League of Armed Neutrality was to protect this traffic.

England finally declared war on Holland in December in December 1780. She used as her excuse information obtained from the papers seized along with Laurens that indicated the formulation of a commercial treaty between Holland and the United States. The declaration of hostilities was followed by Admiral Rodney's capture of St. Eustatius, along with considerable booty.⁵ Unfortunately for England, Rodney was so intent upon these spoils that he allowed the French admiral, Comte de Grasse, to elude him. Thus, de Grasse was able to help bottle up Cornwallis at Yorktown. Yet, the fall of the Dutch island cut off a valuable source of contraband for America.

As far as the United States was concerned, the major importance of Holland's entry was that the Netherlands recognized her by receiving Adams in the spring of 1782. The American commissioner proceeded to negotiate a loan of five million guilders (a guilder was worth about forty cents), and during the same year a treaty of commerce quite similar to the one with France in 1778.

The Carlisle Commission. The closing months of 1777 were critical in British war policies. In America, British arms had not been successful, for Continental troops still offered resistance, contrary to predictions of the King's Friends at the beginning of the struggle. American generals had gained needed experience and were showing improved strategic ability. It appeared that the British ministry's theory of military coercion might easily end in failure. In addition, there was considerable concern about the outcome of the three-cornered campaign to cut off New England. To make matters worse, burdensome war costs had led to increased taxes and a higher cost of living. Protests of merchants, traders, and manufacturers from such cities as London, Manchester, Birmingham, and Bristol were becoming more sharply critical of the continuation of the war.

The Americans had declared themselves independent more than a year before, yet Britain's efforts at subjugation had not budged them from that position. Should more force be tried in 1778? Should the government persist in its plan of yielding but little to American demands? If so, Britain would need more troops, a larger navy, and additional equipment. All these things required money, which in turn meant still higher taxes. How could this be managed in view of past and current objections?

Furthermore, the opposition in Parliament loudly attacked Lord North's administration of the war. In November 1777 David Hartley, for example, asserted that the government policy had thus far accomplished nothing. Its plans for 1778 would cost at least ten million pounds. And after that campaign was concluded, he asked, would Great Britain be any better off than after those of 1776 and 1777?

⁵ A French fleet recaptured it in November 1781.

In spite of all the objections in England and the military situation in America, the determining factor in Lord North's change of plans was the attitude of France. That European rival, it was believed, was awaiting only a great American victory to change her secret aid to open alliance. England wanted to prevent such a treaty, for if America did receive military assistance from France, Britain's chances of subduing the colonies would be well nigh futile. Hence, even before the news of Burgoyne's surrender reached Europe, the consensus of British leaders was that France would not delay much longer a treaty of alliance with the United States.

There was but one course open to Lord North. He would have to turn to the theories he had earlier scorned—the Whig proposals to dig out the roots of colonial grievances and make concessions to America—and then hope that the English blood and inheritance of the colonies would unite them once again with the mother country. This reunion, it was believed, would forestall an alliance with France.

Therefore, in November 1777 the prime minister told the House of Commons he would soon introduce another conciliatory measure, under which Americans would be granted many concessions if they laid down their arms. It is impossible to say whether he would have made this announcement had the Burgoyne campaign been successful, but news of the Saratoga defeat, which reached England about December 1, now made the proposition mandatory. Also, through England's elaborate espionage system, North knew that more definite treaty negotiations were being conducted between the United States and France.

Finally, on February 17, 1778, after long controversy among the King's Friends and with the opposition, Lord North introduced four proposals to accomplish his objective. In the first place, the question of Parliamentary taxation must be settled to the satisfaction of the colonists. Next, the measures—especially the Prohibitory Act—to which Americans objected and which had been a partial cause for hostilities should be amended or repealed. Thirdly, the commissioners to be named in his impending bills must have "full power to conclude upon any point whatever." To facilitate the move, Congress should be granted sufficient recognition by Britain to allow the commissioners to negotiate with it. Lastly, these royal envoys must be granted certain specific powers, among them the right to suspend hostilities, to hold in abeyance all acts passed by Parliament since 1763 that affected the colonies, to grant pardons, and to restore colonial charters. On the other hand, the prime minister thought it only fair that America contribute financially to imperial support, but such contributions must not be a "*sine qua non* of the treaty."

Then North introduced his two bills. The first definitely renounced Britain's right to tax the colonies; the second was to enable the king to name five commissioners to help carry out the various propositions. A long, complicated debate followed; before final passage in March 1778, provision was made for specific repeal of the tax on tea and the voiding of the Massachusetts Government Act of 1774. Perhaps the best reasons for passage may be found in the sentiments of two men, one a friend of the ministry, the other an ardent opponent. Alexander

Wedderburn, the former, believed that continuation of the war, even though resulting in ultimate British victory, "would not compensate for the inconvenience of pursuing it." Charles James Fox, the opponent, believed it better to make peace with a dependent group of colonies than with an independent United States.

Not until April 13, 1778, were the three civilian commissioners named: Lord Carlisle, William Eden, and George Johnstone. The two other members were the respective heads of the British army and navy in America. The civilian members were instructed to contact George Washington as soon as possible, or "any body of men by whatever name known or distinguished who may be supposed to represent the different . . . provinces in America." This meant that Britain was ready, for the first time, to recognize the Continental Congress. The commissioners should emphasize England's desire for peace and her willingness to grant everything short of independence. Were Congress unwilling to listen, the envoys might appeal directly to the people, pointing out the numerous advantages of returning to the "condition of 1763."

Considerable discretion was granted the commissioners. They could offer virtually everything save independence. But the offer came too late. The Americans foresaw victory even before the commissioners left England, as a result of Burgoyne's surrender and the completion of the French alliance, and therefore would not listen to the new British proposals. Moreover, the commissioners were not always tactful in their relations with Congress; one of them even resorted to bribery. Their criticisms of France were resented by many Americans, and when failure of the mission was certain, they threatened to destroy America. Yet, even better prepared and more diplomatic commissioners could not have accomplished more. Britain had once again delayed too long.

The Movement Toward Peace. Even though the United States rejected the offers of the Carlisle Commission, she was soon ready to talk peace on the basis of independence. Although continuing to press the use of force, Congress nevertheless initiated plans for such a peace as early as August 14, 1779. First of all, the peace commissioners, not named as yet, must insist as a preliminary to any talks "that Great Britain shall agree to treat with the United States as sovereign, free and independent." Next, any treaty must be consistent with existing agreements with France. The boundaries of the United States must be about the same on the north as they were prior to the Quebec Act; on the west, they must extend to the Mississippi River; on the south, to the 31st parallel. The commissioners should try to obtain Canada and Nova Scotia, along with fishing rights off the Newfoundland Grand Banks, but failure to obtain them should not stand in the way of agreement. There should be an armistice during the negotiations, with all British troops withdrawn immediately. Other matters were to be determined "by the advice of our allies, by your knowledge of our interests, and by your own discretion."

A month and a half later the first commissioner, John Adams, was named,

but he did not receive more specific instructions until October 1780. The most important were, that as a short truce would be "highly dangerous" to the United States, and a long truce in turn might result in Britain's failure to recognize American independence, it might be well to insist on recognition before or during the truce; that the commission should not promise to allow Loyalists to return to the United States; that they should receive compensation for confiscated property only if Britain paid "for the wanton destruction" of property of American citizens; and that the United States must have freedom to determine who could enter the country.

Again, months passed before the remaining members of the commission were appointed in June 1781: Franklin, Jay, Jefferson, and Henry Laurens of South Carolina.⁶ At the same time, the original instructions were modified so that the commission must insist only upon "the independence and sovereignty of the thirteen United States, according to the form and effect of the treaties subsisting between the United States and his most Christian majesty." The earlier instructions to Adams had been specific, but now Congress thought it "unsafe, at this distance, to tie you up by absolute and peremptory directions." Instead, the commissioners were to do their best, with the help of France, but making certain that "Great Britain be not left in possession of any part of the United States." Chevalier de La Luzerne, who had succeeded Conrad Gérard as French representative to the United States, may have been responsible for the broadening of the commissioners' powers.

It was not, however, until after the defeat of Cornwallis in October 1781 that Britons began to realize that the American colonies could not be subjugated. Six years of war had left England right where she had been at the beginning of the struggle, as far as territory was concerned. But during the intervening period she had been weakened considerably by losses of men, ships, resources, and money. She had incurred the open enmity of France, Spain, and Holland, and had antagonized most of the rest of Europe. Continuation of the war, now broadly extended, might end her role as a leading power. Bolstering that feeling were the naval losses suffered at French hands in the West Indies in late 1781 and early 1782. Would it not be wise to salvage something from the disaster by making peace with a recognized United States, whose subsequent friendship might be valuable in years to come? Such was the sentiment in the House of Commons, where increasing criticism was directed against the ministry of Lord North, whose coercive policies were blamed for the sad plight of the nation. Thus, on February 27, 1782, General Conway's motion to end the troubles in America by conciliation was passed by a vote of 234 to 215. On the same day a petition from Londoners asked that war be concluded as soon as possible for the good of all England. On March 8 four resolutions of censure were introduced in the House of Commons. The first of these criticized the

⁶ Jefferson once more refused to serve, and Laurens was captured by the British while crossing the Atlantic in August 1780 on his way to Holland. He was not released in time to take an active part in the treaty negotiations.

expenditure of more than a hundred million pounds with nothing to show for it. The second stated that the colonies were to all intents lost, except for a few military posts. The third averred that Britain had made many enemies, but had found no allies. And the fourth blamed the ministry's lack of foresight for all of the nation's troubles. Although the government was able to muster enough votes to defeat these proposed censures, it was only by the narrowest of margins, and all political observers realized that the life of the North ministry was short.

They were correct, for on March 20 Lord North resigned. The furious George III refused to compliment the man who had done his bidding without question for thirteen years; he parted with the leader who had served him so well with, "Remember, my lord, that it is you who desert me, not I you." The king was now in a quandary. He spoke of retiring to Hanover, "for life would be unendurable to him if he fell into the hands of the Rockingham party." Therefore, he tried his best to form another ministry of King's Friends, but he could find none willing to undertake the task. Then, in desperation, he turned to the opposition, which refused to accept unless given a free hand in negotiating peace. George III finally had to agree, and on March 27 the Rockingham ministry was formed by the man responsible for the repeal of the Stamp Act. The two most prominent members were Lord Shelburne and Charles James Fox, who did not see eye-to-eye on major issues.

This ministry immediately made contact with the American peace commissioners through Richard Oswald, a wealthy Scottish merchant, who had at one time been a slave trader and land speculator; he had also lived for a short time in Virginia. In recent years Oswald had shown an interest in both philosophy and philanthropy, subjects in which he and Franklin could find common ground. Yet, his first talks with Franklin at Paris in April 1782 were not satisfactory because of differences of opinion over the wording of his commission and over Franklin's proposal for American acquisition of Canada. Another difficulty resulted from the fact that Oswald was Shelburne's man, while Thomas Grenville was sent to Paris by Fox, and the two envoys did not cooperate. But as the other American commissioners arrived, and after Lord Shelburne succeeded to the prime ministership on Rockingham's death during the summer, the differences were gradually reconciled.

On September 13, 1782, Oswald was authorized "to treat with the Commissioners appointed by the Colonies, under the title of Thirteen United States, inasmuch as the Commissioners have offered under that condition to accept the Independence of America as the First Article of the Treaty." To the Americans, this was sufficient recognition of their status. The American commissioners had been instructed to make no treaty without France's advice and approval, and Franklin and Oswald conferred with Vergennes in the early stages. But on his arrival, Jay became more suspicious of French duplicity. He had learned about the secret mission of Joseph Mathias Gérard de Rayneval to England to confer with Shelburne. Jay was certain, and his fears were not entirely unfounded, that

both France and Spain were conspiring with the British ministry to limit American territorial claims to the region east of the Appalachians by allowing England to keep the land north of the Ohio River and by giving the area south of it to Spain. He was also sure that Rayneval wanted to deprive Americans of fishing rights off the Grand Banks, dividing them instead between England and France. Therefore, Jay insisted, with the support of Adams, that the negotiations be conducted solely between the United States and England. Franklin's mild protests were overridden, and Oswald and Henry Strachey, who had been added to the English delegation, were in accord.⁷

The Treaty of Paris of 1783. After some weeks of consideration, the preliminary articles of peace were signed on November 30, 1782. Everything considered, English concessions were exceptionally liberal. This was only natural, for England sought the future friendship of the United States, and with this treaty concluded, England could devote her entire attention to her major enemies. The terms of this agreement opened with English recognition of the independence of each of the thirteen United States. The American boundary on the north was to be roughly the same as it is today, although until 1842 there was dispute with Canada over the definition of the Maine boundary; on the west, it was to be the middle of the Mississippi River, which "from its source to the ocean shall forever remain free and open" to the citizens of both countries. As to the southern boundary, there was a secret clause: if Britain were to retain the Floridas in her subsequent treaty with Spain, the boundary was to run along the line of $32^{\circ} 30'$; were Spain to regain the Floridas, it would be the 31st parallel. Thanks in part to Adams, the United States would have the right to fish off the Grand Banks and to dry and cure the catches along uninhabited Canadian shores. In the economic sphere, creditors were to face no obstacles "to the recovery of the full value in sterling money, of all bona fide debts" contracted before the war; England insisted on the insertion of this clause to safeguard her merchant creditors. She was also responsible for the provision that Congress should recommend to the states—it did not have power to make demands under the Articles of Confederation—that "all estates, rights and properties . . . confiscated, belonging to real British subjects" be restored, that no obstacles be placed in the way of Loyalists' efforts to recover their property, and that state laws involving confiscation be amended in "that spirit of conciliation which . . . should universally prevail with the restoration of peace." All prisoners must be promptly released, and their persecution ended. British forces should retire from the United States territory "with all convenient speed," leaving behind all American property, including slaves, archives, records, deeds, and papers. Finally, any territory gained by either side after the provisional treaty was signed must be restored.

⁷ The most recent and authoritative work on the peace conference, Richard B. Morris, *The Peacemakers: The Great Powers & American Independence* (1965), supports Jay's position regarding France and Spain.

Vergennes appeared to be greatly disturbed about this provisional treaty. Actually, however, he had been kept informed of what was taking place by his own spies and agents, and even by the American commissioners themselves. The truth is that Vergennes was pleased with the American action, for France had been unable to help Spain win Gibraltar. Now he could say to Spain, "The United States has abandoned us, Britain is stronger than before, so let us both conclude the struggle on the best terms we can get." The Frenchman had to show his resentment openly, however, in a letter to Franklin: "I am at a loss, sir, to explain your conduct and that of your colleagues on this occasion. You have concluded your preliminary articles without any communication between [us]."¹ Franklin's reply was a masterpiece of diplomacy, which emphasized American regret, but which also hoped that friendly relations between the two nations would not be severed. That they were not is shown conclusively by Vergennes' praise for the good terms America had obtained in the preliminary treaty, and by an additional loan of six million livres.

France and Spain signed preliminary peace agreements with Britain in January 1783, and early the next month hostilities were declared at an end. Congress approved the preliminary treaty in April, though only after several members had seriously criticized the commissioners for not consulting France during the negotiations. With all preliminary treaties completed, the final Treaty of Paris was formally signed on September 3. It was identical with the preliminary draft, except that the secret clause concerning the southern boundary was deleted in favor of one stating that the boundary should be at the 31st parallel. This document was ratified by Congress in January 1784, and in May, Great Britain and the United States exchanged ratifications, to bring the Revolution officially to an end.

Financing the Revolution. One of the most difficult problems facing the United States was financing the war. There was no money in the treasury at the beginning, and Congress had no authority to levy taxes. Even had there been such authority, it would have been impolitic to have exercised it upon a people already vigorously opposed to taxes generally and to those not imposed by their own legislatures specifically. Consequently, Congress had to resort to the issuance of paper money in the form of bills of credit or treasury certificates, to requisitions upon the states, and to borrowing, both at home and abroad.

The first resort was to paper currency. On June 22, 1775, Congress took the initial step by authorizing the emission of two million dollars' worth, redeemable in Spanish milled dollars at some future date by all the states in proportion to population. Just as John Adams had warned, it was the beginning of a flood of paper. By the end of November 1779 there had been forty-two emissions totaling slightly more than \$240 million. The early issues maintained their value fairly well, partly because of initial patriotism, but mainly because of the more tangible monetary subsidies from France, despite the fact that the states were not contributing their share. In due time, however, depreciation of this un-

backed currency became so marked that the easiest solution was to issue more. As Franklin wrote in April 1779:

This Currency, as we manage it, is a wonderful Machine. It performs its Office when we issue it; it pays and clothes Troops, and provides Victuals and Ammunition; and when we are obliged to issue a Quantity excessive, it pays itself off by Depreciation.

The attitude of the average member of Congress was: "Why should I vote to burden my constituents with taxes when it is simpler to have our printer turn out a wagonload of money, one quire of which will pay for the whole?"

Fortunately, the depreciation was gradual between 1777 and 1780, thanks in part to the reception of hard money from Europe. But when a dollar in Continental paper became worth only two or three cents, those with fixed incomes were hard hit. The cost of shoes mounted to at least \$20 a pair, potatoes sold for as much as 90 shillings a bushel, a quart of milk for 15 shillings, and other items rose in proportion. The lot of the family of a private soldier was especially hard, for the seven dollars a month that the military breadwinner received would not go far. On the other hand, debtors rejoiced when they could pay off their obligations in money less valuable than what they had borrowed, and speculators made money in the rising market.

Congress finally became concerned about the situation, and in 1780 provided for the redemption of the practically worthless paper with new treasury notes at the ratio of forty to one. Although approximately \$120 million were turned in under this act, it did not stem the downward trend completely. The new notes also declined in value to about twenty cents on the dollar, thereby making the original notes worth approximately half a cent—leading to the expression, "not worth a Continental." Nor did the decision to limit the amount of Continental paper in circulation to \$200 million save the day.

To make the situation worse, each state also issued paper currency, with even less backing than the Continental and in larger amounts. A total of \$260 million was eventually put into circulation under state financing, with Virginia and the Carolinas emitting the largest quantities. This state paper depreciated even more rapidly than did the Congressional issues and contributed to the decline of Continental notes.

Requisitions by Congress on the states were just as ineffectual as printing-press money. The states were asked to contribute \$95 million in paper during the years 1777–1779 in order to obtain specie or provisions, but only \$54 million was forthcoming. Congress tried again in the period 1781–1783, this time seeking \$10 million, but the result was even more disheartening, for only \$1.5 million was obtained. The only state to contribute more than one quarter of its quota was South Carolina.

And when the small proceeds from the requisition were spent, the value obtained was often unsatisfactory. The beef, pork, flour, corn, fodder, and other commodities purchased did not always reach the proper depots because of poor transportation facilities and inaccurate accounting. Waste and inefficiency re-

sulted. Also contributing to the cost of the war were the interest-bearing certificates of indebtedness that commissaries and quartermasters gave for the articles they requisitioned from farmers.

Closely associated with the requisition system was an attempted lottery, but the public was not enthusiastic about the scheme because the prizes did not attract them; they were certificates of indebtedness bearing 4 per cent interest. More attractive, but not bringing in much revenue, were lotteries offering money obtained from the sale of prize-ships captured by government privateers.

Another source of income, this one at the state level, was the confiscation of Loyalist property. Though the proceeds were large in some states,⁸ they came too late to stem currency depreciation.

Borrowing both at home and abroad was probably the most satisfactory method of financing the war. At home, bonds in large denominations, bearing first 4 per cent interest and later 6 per cent, were offered to the public. Only some \$63 million in paper—the equivalent of \$7.7 million in specie—was obtained from this source. Abroad, however, American agents borrowed a total of \$7.8 million in specie from France, Spain, and Holland. This amount, slightly larger than “patriotic” Americans loaned their government, was a great boon to the United States. Indeed, some writers have asserted that the foreign loans saved the cause of American independence.

Perhaps the financial problem of the war would have been less acute had not Congress wanted virtually full control in the early years. It insisted that fiscal administration be supervised by two secretaries of the treasury answerable only to Congress. When this method failed to function properly, five members were named to a treasury commission, which worked no better. Not until May 1781 did Robert Morris assume the new post of superintendent of finance. With the able assistance of Gouverneur Morris, he tried to salvage something from the existing chaos, but with only limited success. He persuaded Congress to allow him to substitute the contract system of supplying the army for the wasteful requisition method. Morris also obtained Congressional approval for the establishment of the Bank of North America, though the institution was organized too late to do much good. He had more success in prevailing upon the states to contribute a greater proportion of their requisition quotas. Furthermore, he not only opened his own purse, but borrowed money for the government on his own credit; in the latter respect he received important help from Haym Salomon. Unexpected assistance, it is true, came from France and Holland. Despite the time and energy he put into his efforts, when Robert Morris resigned in 1784, he was accused of using his position to further his own ends. It has been said that “his business relationships were so involved and his private interests so complicated with public affairs that it was difficult to maintain before the public a position of impartial devotion to public welfare.” In spite of these accusations, which virtually amount to charges of dishonesty on Morris’ part, he has been rightly called “the financier of the American Revolution.”

⁸ See pp. 649-650.

Estimates of the cost of the Revolution to the United States vary, the highest being \$135 million. This is only natural because of the wide fluctuation of the paper money emitted. Perhaps the best estimate has been made by Professor E. R. A. Seligman, who transposed the following figures in terms of gold:

Paper money	\$41,000,000
Certificates of indebtedness	16,000,000
Loan-office certificates	11,585,000
Foreign loans	7,830,000
Requisitions on states	5,795,000
Gifts from abroad	1,996,000
Miscellaneous receipts	856,000
State debts	18,272,000
	<hr/>
	\$104,042,000

Regardless of the different estimates, the American Revolution was a costly war financially, but the results were well worth the price.

THE REVOLUTION WITHIN



The American Revolution was more than simply a struggle to free the colonies from English control; it was more than a civil war between Whigs and Tories. It became as well a movement to obtain certain democratic rights for the American people: emancipation of slaves, humane penal codes, greater freedom of worship, termination of aristocracy in landholding, expanded suffrage, and broader educational opportunities. Although the American people did not obtain these goals immediately, their quest for them began during and after the Revolution. Indeed, it has been asserted that the Revolution was brought on in part by the American desire to promote these particular aspects of social justice.¹

The Antislavery Impulse. The period during and after the Revolution was characterized by widespread movements against both the slave trade and slavery itself. Pennsylvania was one of the leaders, just as she had been in colonial days. In 1780 her Assembly provided for gradual emancipation by stating that children born to slaves would be free, even though they might be considered as servants until their twenty-eighth year. This was in line with the actions of local Quakers in 1776: Quaker owners must release their slave property to remain in the good graces of their meeting. Moreover, Pennsylvania was the first to establish an abolitionist society. The original move, under the leadership of Benjamin Franklin, had been made in 1774, but the coming of the war and the temporary British occupation of Philadelphia had thwarted the effort. In 1784, however, the society was revived as the "Pennsylvania Society for Promoting the Abolition of Slavery, and the Relief of Free Negroes, unlawfully Held in Bondage, and for Improving the Condition of the African Race."

In the Massachusetts Bill of Rights (1780) there was a clause stating that all men were born free. The state supreme court in 1783 interpreted this to mean that all slaves should be freed. This decision, plus the voluntary manumission

¹ For different opinions on this subject, see J. Franklin Jameson, *The American Revolution Considered as a Social Movement* (1926); Frederick B. Tolles, "The American Revolution Considered as a Social Movement: A Re-Evaluation," *American Historical Review*, LX (Oct. 1954), 1-12; and Jackson T. Main, *The Social Structure of Revolutionary America* (1965).

of slaves by their owners and the failure to round up runaway slaves, contributed to the fact that in the census of 1790 Massachusetts was the only state to report no slaves among its residents.

New Hampshire's revised constitution of 1784 also contained a statement about men being born free, and Connecticut and Rhode Island provided for gradual emancipation in the same year. In New York the fear of another Negro plot prevented formal action until after the federal Constitution was in effect, but the state did witness the establishment of the second emancipation agency in 1785, the "Society for the Promotion of Manumission of Slaves and Protecting such of them that have been or may be Liberated." This society, under the leadership of John Jay, encouraged its members to boycott sellers of slaves, and pushed through the Assembly a measure ending the need of a master to post a bond (hitherto required to ensure that a freedman would not become a public charge) when he freed a slave. The society also superintended the establishment of a school for freed Negroes. Despite the agitation of Jay and his followers, New York in 1790 had more slaves (over twenty-one thousand) than any other Northern state.

In the South, Virginia made the greatest effort at emancipation. In 1782 a law was passed to provide freedom "by will or deed," and three years later another measure required all slaves brought into the state to be freed after one year, but unfortunately, these statutes were soon repealed. Little if anything was done elsewhere in the South. By 1789, however, a majority of the states—but only Virginia and Maryland in the South—had abolitionist societies working with varying degrees of success.

Another phase of the movement was directed against the slave trade. Every state except Georgia and South Carolina had passed some law before 1789 against such traffic. The North Carolina measure, however, was repealed in 1790. Usually, the local statute levied a heavy tax on imported slaves. This movement played an important part in placing the importation restriction in the federal Constitution.

Despite the fact that there were more than 680,000 slaves in the thirteen original states in 1790, the emancipatory laws and societies indicated a growing and powerful movement under way, especially in the North, to end the institution. That there were nearly sixty thousand free Negroes at that time is evidence of considerable success.

Some efforts were made in the same period to end indentured white servitude. The basis for this was the feeling that such a system ran contrary to the doctrine of liberty as expressed in the Declaration of Independence. The beginning of hostilities checked the arrival of such servants, it is true, but with the return of peace, available ships from England, Ireland, Scotland, and the Rhineland could not carry all those who sought to sell their services. Moreover, the need for such workers in the growing United States offset the efforts of the proponents of free labor. Therefore, the only actions took the form of state laws to improve the status and treatment of the indentured workers. More definite action was taken in most states against admission of convicts and orphans. The

movements against apprenticeships was likewise started, but it was not until the next century that much headway was made.

Changes in Penal Codes. The postwar period and that of state constitution-making also witnessed increased dissatisfaction with the harsh penal codes inherited from the mother country. One of the first states to act was Virginia, where Jefferson and Madison led the way in trying to amend the existing code by ending the death penalty for all crimes except murder and treason, and by lightening the punishments for lesser crimes. Unfortunately, the attempts were in vain—a failure attributed to the local opposition to horse-stealing. Maryland was also concerned about the harshness of its laws, but this apprehension led only to fruitless investigation. In Pennsylvania in 1786 there occurred the major successful effort: the legislature ended the death penalty for robbery and unnatural crimes, and at the same time lessened the punishments for crimes of a less serious nature.

On the other hand, Massachusetts in 1785 maintained its severe criminal code of colonial days, wherein death was the penalty for numerous crimes, and most of the other states had similar codes. Certain states prescribed death for twenty different crimes, even for first offenders. For other offenses hard labor, branding, maiming, the stocks, and the whipping post were not uncommon punishments. The Southern states continued “benefit of clergy” as a means of protecting an owner’s valuable slave property. Thus, more was said in favor of reform of penal codes than was actually done, but at least the reform spirit was present.

Under the leadership of Massachusetts, New York, and Pennsylvania, some efforts were made to change the laws regarding imprisonment for debt. Such measures, again holdovers from English and colonial days, were exceptionally harsh; for example, sentences of four months were common for failure to pay debts of but a sixpence. Fortunately, an increasing number of Americans were protesting the inhumanity and injustice of the debtor laws. The most vociferous were the New Yorkers, who in 1788 established the “Society for the Relief of Distressed Debtors,” dedicated to the task of providing food, clothing and fuel for the unfortunates who were jailed simply because they owed money.

If the penal codes were harsh and the treatment of debtors unjust, the jails to which convicted persons were sentenced were even worse. Few states had actual prisons; instead they used any available building, regardless of its condition, to house prisoners. The worst offender was Connecticut, with its infamous Newgate Prison at Simsbury—nothing more than an abandoned copper mine. In these prisons young first offenders were thrown in with hardened criminals, and the sexes were not separated. All sorts of debauchery resulted, and jailers contributed by selling liquor to the inmates.

At the beginning of the Revolution, Pennsylvanians, aghast at such conditions, organized a humane society to correct these evils, only to have the movement ended by British occupation of Philadelphia. In 1787, however, Benjamin Rush and Tench Coxe started again by establishing the “Philadelphia Society

for Alleviating the Miseries of Public Prisons." Elsewhere, though much was said and written in support of this humanitarian reform, success did not come until well along in the nineteenth century.

Closely associated with these humane movements were numerous efforts to aid immigrants, to promote lifesaving and marine agencies, to set up stations to give medical care to suddenly stricken persons, and many others. Indeed, in the period of the 1780's more than forty such humane societies were in operation. Most of them, it is true, were local in scope, small in membership, and to be found chiefly in Boston, New York, Philadelphia, and Charleston, but their very existence is indicative of a mounting American interest in social welfare at that time.

Separation of Church and State. Another feature of the postwar period was a growing tendency to separate church and state, though in varying degree. In Massachusetts, long the stronghold of Puritanism (Congregationalism), the church was supported by public taxation, levied on all residents except Baptists, Quakers, and Anglicans. Even though the Baptists were not required to contribute financially, they were most vehement in their denunciation of the favored Congregationalists and were in large part responsible for the break. Their task was difficult, for the Congregational clergy were in a strong position because of their active support of the Revolution. In the constitution of 1780, however, one clause stated that every person had the right to worship when and how he pleased, but he must attend a place of worship on stated days. In addition, no law must ever subordinate one faith to another. While these clauses appeared on the surface to provide for almost complete disestablishment and for freedom of worship, they failed to work that way in practice. Towns were required to tax all their residents for support of local ministers, but the clergy of non-Congregational parishes had difficulty in obtaining their share.

With the exception of Rhode Island, which continued to maintain a large degree of tolerance, the other New England states followed the lead of Massachusetts. Connecticut was the most reluctant to end the church-state association,² but she did exempt members of other sects from contributing to the support of Congregationalism on presentation of proof to local authorities that they regularly attended the church of their choice.

The Middle states better expressed the new outlook. In New York, Anglicanism was established in the four counties in and around New York City during colonial days, but the inhabitants, representing many sects—none of which dominated—had never paid much attention to the Church of England. With the Revolution and the Loyalism of the major Anglican clerics, that faith had steadily lost ground. In the constitution of 1777 freedom of worship was declared. In addition, all seeking citizenship must renounce allegiance to foreign rulers, both ecclesiastical and civil—an effective ban as well against Catholics. Clergymen could not hold office, and a similar barrier was erected against Jews,

² The complete break between church and state was not accomplished in Connecticut until 1818, in New Hampshire until 1819, and in Massachusetts until 1833.

for officeholders must observe the Christian religion. Because New Jersey had never had an established church, it was an easy matter for her constitution-makers to provide a religious freedom clause in 1776. Officeholders must be Protestant, however, and conform to certain religious beliefs. Pennsylvania and Delaware likewise refused to allow any state-supported churches or any restrictions on freedom of worship. For officeholding, on the other hand, Pennsylvanians must believe in the Divine inspiration of both Testaments, and citizens of Delaware, in the Trinity.

Throughout the South in colonial days the Anglican Church had been established, but only in Virginia and South Carolina had it been strong. After the Declaration of Independence a movement quickly started to end the association and to substitute religious freedom. The Maryland constitution of 1776 banned compulsion to go to other than the church of one's choice. In the same year North Carolina stated that no resident could be compelled to contribute to the upkeep of any church, and that no one church should have preference over any other. The Georgia constitution of 1777 provided there must be religious freedom for all. South Carolina had a little more difficulty because her Anglican clergy had been respected and had favored the break with England. The opponents of an established church won out, however, and her constitution provided for both civil and religious equality for all members of Protestant congregations.

The Virginia Bill of Rights stipulated that "all Men are equally entitled to the free Exercise of Religion, according to the Dictates of Conscience," but legally, the Anglican Church was still established. Jefferson and other dissenters, unhappy about the situation, opened a long struggle to end any favoritism, a struggle that Jefferson considered "the severest contest in which I have ever been engaged." The first battle was won in 1777 when compulsory church attendance and financial support of Anglicanism was ended. In 1779 the church establishment itself was terminated, but Jefferson failed to obtain full religious equality and freedom, partly because of Anglican and Presbyterian opposition, and partly because of a rival bill of Patrick Henry's that the state support all churches. At last, in January 1786 the legislature passed the famous statute of religious liberty, which Jefferson considered one of his three major lifetime accomplishments.³ After giving various reasons in support of such freedom, this measure provided

that no man shall be compelled to frequent or support any religious worship, place or ministry whatsoever, nor shall be enforced, restrained, molested or burthened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and that the same shall in no wise diminish, enlarge or affect their civil capacities.

Thus, long steps were taken to sever the colonial relationship between church and state. Freedom of worship was much closer to reality than ever before.

³ Actually, Madison led the fight, as Jefferson was in France.

There were still numerous restrictions on officeholding, and certain faiths, especially Catholic, Jewish, and Unitarian, were restricted in different ways, but democracy in religion was almost an eventuality.

The Revolution resulted in other religious changes as well. There was growing support for a greater degree of autonomy in the Anglican Church. As England was unwilling to do anything about it, Samuel Seabury obtained consecration as the first American bishop through the Scottish nonjuring branch. This ultimately led in 1786 to the establishment of the Protestant Episcopal Church in the United States of America. Meantime, the American Methodists, tired of the arbitrary headship of John Wesley in both political and religious matters, held a convention in Baltimore in 1784. As a result, there was a complete break with the Church of England and the formation of the Methodist Episcopal Church. Immediately, two American superintendents—later bishops—were elected, Francis Asbury and Thomas Coke. Catholics likewise gained freedom from English representatives of the Pope when a special American organization was formed under Father John Carroll of Maryland. The Presbyterians and the Dutch and German Reformed members started consolidating along national lines.

The End of Primogeniture and Entail. Likewise characteristic of the post-Revolutionary era was the movement to end primogeniture and entail. During and after the war the realization grew that these practices savored too much of the English system. Moreover, as a result of the confiscation of large tracts of Loyalist land and the acquisition under the Treaty of Paris of 1783 of the huge domain west of the mountains, American opinion wanted such territory to be divided along democratic lines instead of becoming the permanent property of a few.

Within fifteen years after independence every state except Rhode Island (which did not legislate against it until 1798) had abolished primogeniture, first for real property, and then for personal. In addition, the states were providing for more equitable distribution among the children in the event that a parent left no will. In most New England states, as well as in Pennsylvania, the eldest son was granted a double share of inherited property. In New Jersey all sons were given a double share. Daughters were likewise discriminated against in North Carolina, where they received nothing unless there were no sons.

As for entail, South Carolina and Mayland had already taken steps against it before the Declaration of Independence. Generally, however, the more conservative among the large landholding class of the South still wanted to keep their estates intact. Jefferson had a lengthy battle on his hands in the fall of 1776 when he urged wiping out this custom. But he was able to win enough support to overcome the opposition, headed by Edmund Pendleton, and before the year was over, the Virginia state legislature abolished entail. In the same year Pennsylvania passed a measure "to regulate entails in such a manner as to prevent perpetuities." And by 1786 every state had enacted similar legislation except Massachusetts, where entail had never been common practice.

Another holdover from English rule and custom associated with large estates was quitrents. Almost as soon as royal control had ended in Delaware, New Jersey, and South Carolina, the collection of such rents ceased. Virginia and Pennsylvania abolished them in 1777, Maryland followed three years later, and New York acted in 1786. Elsewhere, the system had not been widespread. New York also took a democratic step when she ended manorial privilege and lordships at about the same time, although controversy over the actions continued well into the next century.

Another contribution to more democratic landholding was the breaking up of large, confiscated Loyalist estates into smaller parcels. In New York, for example, every effort was made to prevent Whigs from buying more than five hundred acres, and the former DeLancey land was acquired by some 275 purchasers. The same thing happened in Pennsylvania, Virginia, and North Carolina. Thus, there was more equitable distribution of landed property—on paper at least. Unfortunately, large blocs sometimes fell into the hands of big speculators, but generally, there was a greater degree of what has been called agrarian democracy to be found in the United States as a result of the numerous changes in landholding after the war.

Education. Still another feature of this aspect of the Revolution was an increased interest in education. During the military phase of the war schools and colleges had been hard hit. Many students served in the armed forces; others lost a desire to study during the troublesome times. Instructors were hard to find, and funds normally going to the support of education were diverted elsewhere. And British occupation of cities and towns was a definite obstacle.

With the conclusion of hostilities, however, attention was once more turned to the pursuit of knowledge. Foremost among the spokesmen for education were John Adams, Thomas Jefferson, and Benjamin Rush, who wrote numerous articles in support of broader educational opportunities. Five state constitutions—those of Georgia, Massachusetts, New Hampshire, North Carolina, and Pennsylvania—contained clauses making their respective governments responsible for supervising education. The sale of confiscated Loyalist property and of Western lands provided some states with the necessary income. For example, Connecticut used the proceeds from her Western Reserve for educational facilities; Massachusetts allocated a goodly share of income from land sales in western New York in similar fashion; Pennsylvania granted sixty thousand acres of her undeveloped land for school purposes. The North Carolina legislature used receipts from lotteries, lands, and monetary gifts to establish a number of academies. Georgia, influenced by Lyman Hall and Abraham Baldwin, passed a measure in 1784 for "a college or Seminary of Learning," to which was granted twenty thousand acres, and the next year provided "for the more full and complete Establishment of a public School of Learning," to be under the jurisdiction of the University. New York's Governor Clinton in 1782 announced that support of education was the duty of the state, and four years later lands were set aside for schools. Massachusetts in 1789 passed a law to promote public

support for elementary and grammar schools. As in other fields, however, there was more talk than action.

Another notable development was the encouragement given by some states to private academies. Massachusetts, for example, partially exempted them from taxation. The different religious sects also played important roles in promoting academies. New England, New York, Pennsylvania, and Virginia were the areas of greatest activity. The outstanding institutions were Erasmus Hall in Brooklyn, sponsored by the Dutch Reformed Church, and Andover and Exeter in Massachusetts.

At the advanced level, prewar colleges slowly revived. What is more significant, new ones came into being, and the groundwork was laid for many more. Eight colleges were opened between 1783 and 1789. Georgia legislated for a state university in 1785, although it was slow in materializing. New York established in 1784 its unusual University of the State of New York to supervise statewide education, though it had neither buildings, faculty, nor student body. North Carolina chartered its state university in 1789, and Pennsylvania allocated land to at least one college and changed the College of Philadelphia into the University of the State of Pennsylvania. A number of colleges, old and new, faced years of financial hardship, however, from which some did not emerge.

In the specialized fields, greatest attention was given to medicine. The prewar schools in Philadelphia and New York were revived and encouraged in various ways. The American Medical Society in Philadelphia was reorganized after the war and considerably strengthened. In the same city the "Society for inoculating the Poor Gratis" did excellent work in taking care of hundreds of ill persons. Massachusetts in 1781 started its Medical Society, which was dedicated to research; one of its methods of progress was through broadened library facilities. Although the hospital in New York City was restored after the war, the city's inhabitants were generally averse to medical experimentation. This was demonstrated in 1788 by the so-called doctors' riots, brought on by popular opposition to dissection. Throughout the states little was done to prevent druggists and barbers from continuing to engage in "physick and chirurgery," and "quacks" hung out their shingles everywhere.

The legal field lagged far behind the medical. Only at William and Mary was law formally taught—George Wythe gave a course there in Law and Police. The sole law school was the private one of Tapping Reeve in Litchfield, Connecticut.

Other efforts to promote knowledge were made by various societies, the two most notable being the American Philosophical Society and the American Academy of Arts and Sciences. The former had been established before the war, but its work did not become significant until 1780, when it was reorganized by Benjamin Franklin and David Rittenhouse to promote interest in trade, agriculture, learning, and the better things of life generally. These men were convinced that in the course of such activity Americans would become less prejudiced and provincial. The American Academy of Arts and Sciences was sponsored by John Adams and James Bowdoin in Boston in 1780. With ob-

jectives comparable to those of the Philadelphia organization, the Academy promoted widespread interest in its work. It was given considerable support by the state, whose constitution provided for assistance to scientific organizations.

Revived interest in libraries was another indication of the quest for knowledge. In many localities, however, the cost of replacing books lost or destroyed during the war tended to dampen popular enthusiasm. Moreover, libraries became more exclusive in membership. In Boston, New York, Philadelphia, and Charleston the most effective work was done to promote this aspect of intellectual improvement.

Also part of the quest for greater democratization of American life was the broadening of suffrage. This particular reform has already been treated in an earlier chapter.

The Problem of the Loyalists. Although there had been a rapidly increasing animosity between Whigs and Tories since about 1770, the real conflict between the two partisan groups opened after the battles of Lexington and Concord, when the lines were more sharply drawn. The patriots, considering themselves in the driver's seat, started to suppress those with more conservative tendencies. Tarring and feathering, riding on rails, ducking, and boycotting, to mention but a few methods, were practiced more frequently against the increasingly hated supporters of king and Parliament. Such treatment only served to make the recipients more firm in their stand, and they flocked to cities and towns under British military control, such as Boston and New York. And as patriot militia bands and the Continental army itself were formed, the Tories proceeded to organize their own partisan groups or provincial corps under command of some respected landowner or merchant.

Congressional concern over this state of affairs first found expression on March 14, 1776, when a resolution was passed:

That it be recommended to the several assemblies, conventions, and councils or committees of safety of the United Colonies, immediately to cause all persons to be disarmed within their respective colonies, who are notoriously disaffected to the cause of America, or who have not associated, and shall refuse to associate, to defend, by arms, these United Colonies, against the hostile attempts of the British fleet and armies; . . .

The colonies were prompt to act on this resolution. Popular riots increased as patriots vented their wrath against the Tories. In town after town provincial congresses established "committees to detect conspiracies." Tories who did not flee were jailed, so that in some communities "hardly a Tory face was seen." So belligerent did the radical mobs become in some towns that even prominent Whigs protested their actions.

The majority of patriots went along with these actions against the Tories, and on June 24, 1776, Congress gave the several colonial governments more explicit instructions:

That all persons, members of, or owing allegiance to any of the United Colonies . . . who shall levy war against any of the said colonies within the same, or be adherrent to

the king of Great Britain, or others the enemies of the said colonies, or any of them, within the same, giving to him or them aid and comfort, are guilty of treason against such colony;

That it be recommended to the legislatures of the several United Colonies, to pass laws for punishing, in such manner as to them shall seem fit, such persons before described, as shall be proveably attained of open deed, by people of their condition, of any of the treasons before described.

Some colonies had already passed such punitive measures before Congress thus defined treason. After the Declaration of Independence, however, the new states enacted additional laws placing greater restrictions on the Loyalists. All the states ultimately provided for "test oaths," requiring officeholders to swear allegiance to the state or the United States. Five states had measures limiting freedom of speech and action; a similar number disfranchised Loyalists and removed them from office. Several states taxed Loyalists two and three times as much as the patriot residents. All except Pennsylvania and Maryland provided for suppressing, quarantining, banishing, and exiling supporters of the king. Every state but Rhode Island and Georgia made it a crime to adhere to the crown.

Confiscation of Loyalist Property. Thomas Paine, in his *American Crisis*, was one of the first to advocate confiscation of Loyalist property. He wrote, "America could carry on two years' war by the confiscation of the property of disaffected persons, and be made happy by their expulsion." Congress finally gave its approval to such action on November 27, 1777, when it resolved:

That it be earnestly recommended to the several states, as soon as may be, to confiscate and make sale of all the real and personal estate therein, of such of their inhabitants and other persons who have forfeited the same, and the right to the protection of their respective states, and to invest the money arising from the sales in continental loan office certificates, to be appropriated in such manner as the respective states shall hereafter direct.

Some of the states had already acted; the rest soon followed the Congressional advice. At first (in 1777), the confiscatory laws were general; later (in 1778 and 1779), some states specified Tory estates to be seized. The North Carolina law of 1779, for example, listed sixty-eight specific estates to be confiscated. New Hampshire took over twenty-eight parcels of Loyalist property, the largest being that of ex-Governor John Wentworth; Massachusetts seized the lands of all who fought on the British side, including the huge estate of Sir William Pepperell in what is now Maine. The New York legislature authorized the confiscation of the property of fifty-nine Tories, including fifty thousand acres belonging to the descendants of Sir William Johnson, the three hundred square miles owned by the Phillipse family, and the large holdings of James DeLancey and Roger Morris. Elsewhere, the Penn holdings—the largest confiscation of all—were taken over by Pennsylvania, the Fairfax estate by Virginia, the Granville district (which included approximately the upper half of the state) by North Carolina, and the land of James Wright by Georgia. An

idea of the proceeds from the sale of such holdings may be gleaned from the following figures: North Carolina obtained more than £583,000 up to 1783, New York received at least \$2.5 million, and the Penn acreage alone was sold for an estimated one million pounds.

Military Efforts of the Loyalists. The first real military encounter between Whigs and Tories took place at Moore's Creek Bridge in North Carolina in February 1776, and ended disastrously for the followers of the king.⁴ This loss, together with the general British opinion of colonists, regardless of their political affiliation, contributed to the fact that the British did not have as much faith in the military ability of the Loyalists as the Loyalists had in the British. After all, the Loyalists were Americans, and to the British, Americans were cowards who would not fight. During the first two years of the Revolution, therefore, the British did not encourage the Loyalists to establish provincial corps or partisan bands; when any were formed voluntarily, they were used primarily in such work as erecting fortifications for British regulars or in sapping or digging trenches. Were they desirous of enlisting, it should be in the British army, where they could be properly trained by British officers. It has been estimated that some fifty thousand were in the regular army. But there were also prominent provincial corps, among them Banastre Tarleton's British Legion, Simcoe's Queen's Rangers, Rawdon's Volunteers of Ireland, Robinson's Loyal Americans, and Brown's Prince of Wales's American Volunteers.

In April 1777, however, Sir William Howe finally realized the worth of the Loyalists. He issued a call for provincial troops to aid "his Majesty in restoring peace and order," and placed William Tryon in command with the title of major general of provincials. Those who enlisted for two years were promised at least fifty acres of land, and in some cases monetary bounties were also given. Some nine thousand Loyalists served in these provincial corps. They did their most effective work in the backwoods areas, many times in conjunction with Indian allies. New York, Pennsylvania, and the Carolinas witnessed their greatest efforts.

In 1780 another type of organization was formed, the "Honorable Board of Associated Loyalists," headed by William Franklin. Those who joined were "unwilling to become soldiers by profession," but they were ready to annoy "the seacoasts of the revolted colonies" by "distressing their trade." Thus, they might retaliate with "just vengeance" against the patriots who had persecuted them. Most of the activities of the Associated Loyalists were along both shores of Long Island Sound.

Loyalists likewise served as spies for the British army. By keeping their allegiance secret, they could easily penetrate American lines and ascertain important military information. Their knowledge of the country also made Loyalists valuable to the British as guides, and they were frequently called upon for advice by British commanders when campaign were being planned.

⁴ See pp. 596-597.

When provincial corps came to grips with similar American partisan bands headed by men like Francis Marion and Thomas Sumter, some of the bitterest fighting of the war occurred, for the Revolution was also a civil war among Americans with divided loyalties.

Exodus of the Loyalists. In view of their early mistreatment at the hands of the patriots, the Loyalists realized that matters would become even worse as the war progressed. To escape persecution, they fled to areas under British control, yet even there they were not assured of permanent asylum. For example, when the British evacuated Boston in 1776 and Philadelphia in 1778, thousands of Loyalists went with the troops, and it was reported in 1777 that two thirds of the people of Cumberland County, North Carolina, were moving. How many left the United States permanently is impossible to determine; the number has been estimated as high as a hundred thousand.

They went to all parts of the empire, but mainly to Canada, especially to the region around Nova Scotia and New Brunswick, and to the British Isles. Their departure deprived the United States of a goodly percentage of the wealthy and cultured classes, but at the same time took away a group that had been constantly at odds with the new American conceptions of government and democracy. They were not only victims of British defeat, but of their own failure to keep abreast of the times. The Loyalists, despite the severity of state laws and the ferocity of the civil war to which they were a party, nevertheless fared better than did aristocrats in the French Revolution.

Great Britain realized that the Loyalists had suffered in many ways as a result of their continued allegiance to the crown. Thus, Parliament in 1783 passed an act for "Appointing Commissioners to Enquire into the Losses and Services of all Such Persons who have suffered in their Rights, Properties, and Professions during the late Unhappy Dissensions in America in consequence of their Loyalty to his Majesty and Attachment to the British Government." All told, 3,225 Loyalists presented claims amounting to £10.6 million to the commissioners under this statute. Although many of these claims were disallowed or withdrawn, 2,291 claimants were ultimately awarded more than three million pounds for various types of losses during the Revolution.

The British government also aided the Loyalists by insisting that the Treaty of Paris include the clause "that Congress shall also earnestly recommend to the several States that the estates, right and properties of such last mentioned persons [the Loyalists], shall be restored to them. . ." Moreover, Loyalists could return to the United States for twelve months to try to regain their confiscated property.

Postwar Loyalist Problems. After the signing of the Treaty of Paris, most of the states gradually rescinded their wartime laws against the Loyalists, so that by 1787 only a few such statutes remained. Loyalists then came out of hiding or returned from their exile. Sometimes they were treated badly for a while, but in

other instances they were welcomed, especially if they were good businessmen or had money.

Regaining their confiscated property was another matter. In South Carolina, it is true, many estates were again in the prewar owners' hands by 1785, but in other states numerous obstacles were placed in their way. The Granville family never regained an acre of its vast holdings in North Carolina, and the state opposed Jay's Treaty (1794) because of fear of "alien ownership" of land. On the other hand, the legislature of Pennsylvania appropriated £130,000 as compensation for the Penn heirs "in remembrance of the enterprising spirit of the founder."

Several court cases developed, such as *Rutgers v. Waddington* in New York (1786) and *Bayard v. Singleton* in North Carolina (1787), over these state laws. Ultimately, those measures were declared invalid by the courts because they were contrary to the Treaty of Paris. As Alexander Hamilton said in the Rutgers case, "Our external sovereignty existing in the Union, the property of all citizens, in regard to foreign states, belongs to the United States." Consequently, the continuation of restrictions on Loyalists "would be a breach also of the Articles of Confederation." And in the Bayard decision the court declared the state confiscation act unconstitutional—a very early precedent for the policy of judicial review.

Also causing trouble was the treaty clause about the payment of bona fide prewar debts. Virginia was the most vehemently opposed, because her planters owed approximately £2.3 million to British merchants. Every effort was made to avoid payment, but by 1787 the state finally admitted that the sanctity of a treaty commitment was more important than self-interest.⁵

By the time of the Constitutional Convention, practically every state had repealed its wartime laws as well as early postwar measures against the Loyalists, the treaty provisions were being followed for the most part, and Loyalists were sometimes elected to important state positions, but they had failed, in most instances, to recover their confiscated property.

⁵ Nothing tangible was done about these debts until Jay's Treaty of 1794 provided for a commission to investigate. Finally, as a result of a convention with Britain in 1802, the United States assumed responsibility for the obligations and paid out £2,664,000.

THE ARTICLES OF CONFEDERATION

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Even before the adoption of the Declaration of Independence, many Americans realized the necessity of a more adequate frame of government than that provided by the Second Continental Congress. That Congress had perhaps been sufficient for a group of colonies protesting the actions of an arbitrary Parliament and making the initial plans for armed resistance against the mother country. For the effective administration of an independent nation, however, a government would have to be established that could deal with the numerous and complex problems anticipated. The formation of such a government was nevertheless hindered by the fears and suspicions against a centralized administration that had been engendered during the colonial era.

The Dickinson Report. One part of the Lee resolution of June 7, 1776, proposed, "That a plan of confederation be prepared and transmitted to the respective Colonies for their consideration and approbation." Four days later Congress appointed a committee, headed by John Dickinson, which worked hard on this project. By July 12 the report was ready, but it came at an inauspicious time. Even then the Howe brothers were arriving at Staten Island with their military and naval forces, and shortly afterward came the American defeats on Long Island and in New York City. Thus, the attention of Congress was turned primarily to matters military, and the Dickinson report received only desultory consideration for more than a year, during the course of which the debates indicated some dissatisfaction with the proposed plan of confederation.

Important in this feeling was the fear that a centralized government in America might be substituted for the hated Parliament. Another protest concerned the suggested disposition of Western lands. For example, in August 1777 six states¹ without claims to territory in the West advocated that the Congress under the proposed new government be authorized to limit the western boundaries of states having such claims. Five of the landed states based their claims on royal charters that had given them, as colonies, control from sea to sea; a sixth state, Virginia, not only asserted she had a sea-to-sea charter, but insisted

¹ Delaware, Maryland, New Hampshire, New Jersey, Pennsylvania, and Rhode Island.

that her charter of 1609 gave her title to all the territory north of the Ohio River, in addition to Kentucky. New York's claim grew out of her long-time jurisdiction over the lands the Iroquois had conquered—practically all of the Northwest.

The need for a more adequate government was gradually realized, however, so that earnest consideration was finally given to the Dickinson report. On October 7, 1777, one object of controversy was disposed of when Congress decided that each state should have but one vote in the new central legislature, regardless of its size and population. A week later a second major obstacle was removed with the compromise that the expenses of the national government would be apportioned among the states according "to the value of all land within each state, granted to or surveyed for any Person."

On October 27 Congress began consideration of the controversial Western land issue. The six landless states took the position that they would be at a decided disadvantage; without land to sell, they would be compelled to tax their citizens heavily. The dissatisfied populace might thereupon move to states with income from Western land sales. Thus, the United States would be weakened by having large areas along the Atlantic coast virtually depopulated. Supporting the landless states were the advocates of a strong national government, who advanced four major arguments. The first was that the territory west of the mountains was being "wrested from the common enemy by the blood and treasure of the thirteen states," and thus should be the common property of the United States. The second argument asserted that frontier residents had long been unhappy with the administration of the states that governed them; they would be more satisfied under centralized control. A third point stated that Western lands under national jurisdiction would end rivalries among the states. Finally, the West under the proposal would provide needed revenue for the United States and bounty lands for Continental army veterans.

Unfortunately, these valid and cogent arguments were offset by the selfish lobbying of the reorganized Indiana and Illinois-Wabash companies, which had claims in territory Virginia said was hers. Because their leaders knew Virginia would never recognize their claims, these companies obtained the support of Robert Morris of Pennsylvania in working for the cession of Western lands to the central government. They were fairly confident that such a government would side with them.

The combined weight and influence of the landless states, the nationalists, and the land companies were not sufficient to overcome the interests of the seven landed states, which were backed in Congress by local speculators who believed that they could exercise sufficient influence on state legislatures to obtain land in the West. Therefore, the proposal to limit the western boundaries of the states was defeated in favor of a substitute motion declaring that "no state shall be deprived of territory for the benefit of the United States."

The Articles of Confederation. After several other disagreements were ironed out, the thirteen Articles of Confederation and Perpetual Union were formally

adopted by Congress on November 15, 1777, and two days later were submitted to the states for ratification. The Articles began by stating that "the stile of this confederacy shall be 'the United States of America.'" Under it each of the thirteen states was to retain "its sovereignty, freedom and independence, and every power, jurisdiction, and right, which is not . . . expressly delegated to the United States, in Congress assembled." The states thereby entered "into a firm league of friendship . . . for their common defence, the security of their liberties, and their mutual and general welfare," and agreed to assist one another "against . . . all attacks made upon them."

In order to promote friendship and intercourse, the free inhabitants of each state were to be "entitled to all privileges and immunities of free citizens in the several states," including the right to come and go freely and the privilege of trade and commerce. Likewise, the "records, acts and judicial proceedings of the courts and magistrates" of one state would be fully recognized by all other states. Special provision was made for extradition of fugitives from justice.

There were several prohibitions upon the states. They could not make treaties or alliances with each other or with foreign countries. Nor could they have warships in time of peace, nor armed forces except for local defense. They were also denied the right to engage in war on their own, unless their territory was invaded.

The centralizing body was to be a unicameral Congress, in which each state would be represented by not less than two and not more than seven delegates, selected annually by each state as its legislature determined, and paid by the state. Each delegation was to have only one vote, and its members were to enjoy freedom of speech and debate, "not to be impeached or questioned in any Court," as well as freedom from arrest during legislative sessions, except "for treason, felony, or breach of the peace."

This Congress had the sole right to declare war and make peace, to name "ambassadors," and to effect treaties and alliances—with the exception of such treaties of commerce "whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods." Congress also had the right to determine the value of United States coins, along with those issued by the states, to fix the standards of weights and measures, to establish and regulate post offices, to appoint all United States military and naval officers, and to supervise all Indian affairs. The disposing of captures on land or sea, the granting of letters of marque and reprisal, and decisions on cases arising between or among the states were likewise functions of Congress. In order to reach a decision on matters of importance, the vote of nine delegations was required, and unanimous approval was needed to amend the Articles.

The closest approach to an executive branch was "A Committee of the States," consisting of one delegate from each. This committee, which elected its presiding officer, who could not serve more than one year in three, was to act during Congressional recesses. The nearest thing to a supreme court consisted of judges

appointed by states involved in disputes with one another or chosen from a panel of three judges from each of the thirteen states.

The Articles optimistically provided for the eventual admission of Canada into the fold. Article XI read: "Canada acceding to this confederation, and joining in the measures of the united states, shall be admitted into, and entitled to all the advantages of this union."

These Articles clearly showed that the old hatred and fear of British authority were still present. The absence of a separate executive branch was one indication, and making the Committee of the States an adjunct of the legislature another. The weak Congress stemmed both from antagonism toward Parliament and from the desire of the states to guide their own internal destinies. Equality among the states was upheld by the method of voting in Congress. Still another sign of earlier dissatisfactions was the right of the states to control their own commerce, to coin money, and to tax themselves. Strange as it may seem, the Articles did not provide for separation of powers, despite the fact that in pre-Revolutionary days many colonial arguments had quoted from English and French theorists who propounded such separation. Perhaps the most remarkable thing about the Articles is that they were drawn up at all, in view of the "states rights" feelings, and also in view of the fact that winning the war was the major concern.

Maryland Opposes Ratification. Most of the states, through their legislatures, ratified the Articles within a year, but Maryland steadfastly refused to make the decision unanimous. She repeated all the arguments that had been advanced earlier to support her assertion of December 15, 1778, that she would not approve until the landed states ceded their Western holdings to the United States. Virginia, desirous of putting the Articles into effect as soon as possible, tried to change Maryland's mind by offering to donate all the territory needed for military bounties. The proposal did no good, for early in January 1779 Maryland officially informed Congress of her opposition.

Gradually, the tide began to turn against Virginia in her stand against land cessions. First of all, a Congressional committee resolved that no Western lands be sold until the conclusion of military hostilities. Then, military reverses in 1780 made many proponents of state control change their minds in favor of national jurisdiction and the adoption of the Articles as a possible means of victory in the war. Accordingly, on September 6, 1780, Congress urged that "the several states having claims to waste and unappropriated lands in the western country, turn over a liberal cession to the United States for the common benefit of the Union." Before the month was over, Virginia agreed to do so if Congress refused to recognize prior private purchases in the West. All sort of pamphlets, petitions, and other types of pressure opposed this move against speculators. Therefore, Congress rejected the Virginia restrictions and approved instead, on October 10, the following measure:

That the unappropriated lands that may be ceded or relinquished to the United States, by any particular States, pursuant to the recommendation of Congress on the

6th day of September last, shall be disposed of for the common benefit of the United States, and be settled and formed into distinct republican States.

However, "the necessary and reasonable expences . . . in subduing . . . the British . . . shall be reimbursed" to the states.

Also working against Virginia was the fact that on February 1, 1780, New York broke the hitherto solid ranks of the landed states by ceding her claims, however questionable, to Iroquois lands in the West. Then, on October 12 Connecticut, to show her faith in the "rising Empire," fell in line with her neighbor by promising to give up most of her Western territory. This combination of events brought a change of heart to Virginia's legislators, who, on January 2, 1781, favored ceding most of the state's claims north of the Ohio River to the United States, though with numerous restrictions.

The actions of New York, Connecticut, and Virginia sufficiently convinced Maryland that all the landed states would eventually relinquish their territory west of the mountains to the central government. Therefore, on February 27, 1781, she signed the Articles of Confederation. The Continental Congress recognized the formal ratification by all states on March 1, and the following day the Articles, the first legal form of government for the United States, officially went into effect.

Western Land Settlements. Under the new frame of government Congress immediately began the task of clearing up titles to the Western lands. At the end of December 1782 a special commission extinguished the Connecticut claims in Pennsylvania. In September 1783 Congress in effect rejected the Virginia cession restrictions of January 1781. Thereupon, that state revised her conditions on December 20, 1783: all the territory she ceded north of the Ohio must "be laid out and formed into states . . . not less than one hundred nor more than one hundred and fifty miles square." Such states must be distinctly "republican," and, when admitted into the Union must enjoy "the same rights of sovereignty, freedom and independence, as the other states." French and Canadian residents of the Northwest who had accepted Virginia citizenship were to have their land titles fully confirmed.

Virginia also insisted that "the necessary and reasonable expences" she had incurred for the George Rogers Clark expedition "be fully reimbursed by the United States." In addition, her promise of 150,000 acres to Clark and his men must be fulfilled by the national government in one tract on the north side of the Ohio River. For Virginia troops who had served in the Continental army there must be reserved lands along the Cumberland River between the Green and Tennessee rivers. If that area south of the Ohio was not adequate, then the territory between the Scioto and the Little Miami north of the Ohio must also be reserved for these veterans. All the rest of the cession "shall be considered as a common fund for the use and benefit" of the United States. On March 1, 1784, Congress accepted this Virginia solution.

Before the year 1784 was over, Massachusetts granted to the United States all her claims west of New York, but still insisted that the western part of New



York belonged to her. But in 1786 the two states, after considerable discussion, reached an accord by which a line was drawn south from Sodus Bay on Lake Ontario; west of that "pre-emption line" was Massachusetts property, but New York was to exercise full governmental control over it.

Connecticut, angered by her loss of territory in Pennsylvania, delayed turning over her transmontane lands to the United States until 1786. When she finally did so, she retained title to the so-called Western Reserve, a strip of some three and a quarter million acres along Lake Erie, for her Revolutionary veterans. Thus, the United States had title to all land north of the Ohio River except the Virginia and Connecticut military tracts.

North Carolina, South Carolina, and Georgia were even slower. They claimed they had been hard hit economically by the war and therefore needed the proceeds from Western land sales. North Carolina exemplified the Southern position. In 1783 she opened the Tennessee area to settlers at the ridiculously low price of five dollars for a hundred acres; within a year more than four million acres had been taken up, exclusive of military reserves. Opposition to this liberality came, however, from residents of the Tidewater and Piedmont who now favored ceding Tennessee to the national government because their taxes were increasing as the need to protect the Western communities grew. Also won to the cession cause were speculators, who saw in national control increased land values. This combination forced through the North Carolina Assembly in June 1784 a cession measure that would also recognize existing land titles.

The "State" of Franklin. The actual settlers in Tennessee viewed this decision with misgivings. At a mass meeting in Jonesborough in August 1784 they drew up a petition to Congress for statehood and scheduled a second meeting to draft the necessary constitution. The North Carolina legislature, worried about this move, repealed the cession act, but at the same time promised Westerners adequate protection from Indian attack and a more satisfactory judicial system. Thus, when the constituent assembly of Tennessee met in December, there were two rival forces. One group, headed by Colonel John Tipton, favored accepting North Carolina's terms; the other, dominated by John Sevier, demanded separate statehood. The latter gained the upper hand, established the State of Franklin—or Frankland—and accepted the laws of North Carolina as the basis for their government.

Franklin, however, was not a success. Congress refused to admit her into the Union and would not recognize her Treaty of Dumplin Creek of May 1785, in which she had prevailed upon some lesser Cherokee chiefs to relinquish the territory along the Holston River as far as the watershed of the Little. So loud were the protests of the rest of the Cherokee that Congress appointed commissioners to investigate. At the close of November 1785 these commissioners signed the Treaty of Hopewell, whereby Cherokee claims of 1777 were upheld. In 1786 North Carolina made so many concessions that the majority of the Franklinites, tired of Governor Sevier's autocracy, determined to return to North Carolina allegiance. The result was civil war in Franklin, which culminated in

the defeat of Sevier and his followers in February 1788. Not until the following year did North Carolina and Congress reach an agreement on the terms of the cession.

Meantime, South Carolina had turned over its small Western claims in the middle of 1787. Georgia, on the other hand, did not yield her title until the early years of the next century.

Indian Problems. Closely associated with the problem of state land cessions was that of the Indians. The first step in extinguishing Indian titles in the Ohio Valley was taken in October 1784, when United States commissioners persuaded the Iroquois in the Second Treaty of Fort Stanwix to give up their claims to all land west of the Niagara River. When the tribes in the Ohio Valley refused to recognize this agreement, they were called to a meeting with the commissioners at Fort McIntosh in January 1785. There, the Chippewa, Delaware, Ottawa, and Wyandot, threatened by the presence of armed force, agree to relinquish practically all of the present state of Ohio except a reservation between the Maumee and Cuyahoga rivers.

These two treaties failed to solve the problem. Some of the other Ohio tribes, notably the Shawnee, refused to admit the legality of the agreements. Moreover, the signing of these pacts was the signal for hundreds of adventurers and frontiersmen, many of them lawless individuals, to move into the Ohio country and squat on any land they desired. Fearful of war, the commissioners urged Colonel Josiah Harmar to drive out the trespassers, but he reported that he did not have sufficient troops to curb the "banditti whose actions are a disgrace to human nature." Even the construction of Fort Harmar on the Muskingum could not prevent the illegal settlements.

Therefore, the commissioners decided that they would have to treat with the Indians. After weeks of negotiation, accompanied by American threats, the Shawnee signed the Treaty of Fort Finney in January 1786, in which they accepted the Fort McIntosh pact and also surrendered their claims as far west as the Wabash River. All seemed well, until the Shawnee repudiated their commitment. This action encouraged other tribes to revolt, and the spring and summer of 1786 were marked by Indian raids on American towns and outposts, with the Americans retaliating, under the leadership of George Rogers Clark and Colonel Benjamin Logan, against Indian settlements along the rivers in Ohio. Although there was much destruction on both sides, the Indians were not subdued. Indeed, early in 1787 the several tribes, after two conferences, agreed not to recognize any of the recent treaties.

Congress, unable to act forcibly, then tried to solve the problem by approving the Ordinance of 1786. This established an Indian Department, with special superintendents to look after Indian affairs, somewhat in the fashion of Sir William Johnson and John Stuart under English authority in the 1750's and 1760's. These superintendents were instructed to prevent the Indians from being cheated and to keep unlicensed white traders out of the area. This policy was of little avail, however, and American outposts in the Ohio country had to

be more heavily garrisoned. It was not until 1795 that the Indian problem in the Northwest was solved.

The Indian situation in the Southwest followed a similar pattern. The Treaty of Augusta, which Georgia concluded with the Creek in November 1784, extended the state line west to the Oconee River. Soon the tribe repented of the pact, and under "King" Alexander McGillivray, a half-breed who hated whites, opened war on the Georgians. The Creek, despite some aid from Florida, were defeated in the spring of 1785 and compelled to sign the Treaty of Galphinton the following November; under it, they once more accepted the Augusta terms and also gave up their holdings south of the Altamaha River. This brought no more peace than had the treaties with the Indians of the Northwest.

Complicating the Southern problem were the efforts of land speculators to "get rich quick." The schemes of the Muscle Shoals Company, headed by William Blount of North Carolina, to develop the Tennessee River region, of James Robertson in Chickasaw land, and of Georgia in the Yazoo district (the so-called Bourbon County), only served to stir up both Indians and Spaniards. By the time of the adoption of the Constitution, United States jurisdiction in the Southwest was tenuous, to say the least.

The interrelated problems of Western lands and the Indians were not the only ones facing the new government under the Articles of Confederation. Further weaknesses in the new frame of government were also being revealed in other fields, weaknesses that brought increasing demands from many quarters that a stronger central government be established.

THE CRITICAL YEARS

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The successful completion of the military phase of the Revolution did not mean that the new nation was to be immediately free of all problems. Indeed, following the conclusion of hostilities, the United States faced many trials and tribulations. The Articles of Confederation, instituted less than eight months before the surrender of Cornwallis, did not provide a central government strong enough to cope with the numerous problems facing a new nation. In addition to the difficulty in prevailing upon the several states to cede their Western lands to the United States and in persuading hitherto hostile tribes to sign treaties, the Confederation government had to deal with such varied matters as concluding commercial agreements with European powers, gaining control of all the land that Britain had agreed by treaty to be part of the United States, raising money for the current expenses of government, ending domestic strife, and establishing governments for Western territories.

During the period 1783–1787—the critical years, according to John Fiske—there were frequent doubts whether the experiment in democracy would succeed. Foreign powers were not wholly friendly, Britain raised her navigation barriers against the new republic, a severe depression hit the country, states quarreled with their neighbors, and within the states there was bitter controversy between creditors and debtors. And with all these problems, the Confederation government did not have the power to levy taxes. Some recent historians¹ have said that the postwar years were not so critical as they have been painted, that the nation was merely experiencing normal “growing pains,” but undoubtedly, to many Americans who lived through those years, there was grave doubt about the future of the United States.

Problems of Trade and Commerce. The now recognized United States had to promote commerce, inasmuch as her economy was based primarily on agriculture and the associated extractive industries. Such products would have to be

¹ For various interpretations of these years, see John Fiske, *The Critical Period in American History* (1888); Merrill Jensen, *The New Nation: A History of the United States During the Confederation, 1781–1789* (1950); Richard B. Morris, “The Confederation Period and the American Historian,” *William and Mary Quarterly*, XIII (April 1956), 139–156; and Curtis Nettels, *The Emergence of a National Economy, 1775–1815* (1962).

sold abroad in order to purchase needed manufactured articles. Britain was the logical country with which to trade because she represented a complementary economy, as had been indicated during colonial days. But now the United States was outside the imperial fold, and the British Navigation Acts, if kept in operation, would exclude American ships, and possibly American commodities, from imperial trade.

Thus, one of the first efforts of the United States was to persuade England to modify her protectionist policy by signing a commercial agreement to give the new republic the right to trade with the several parts of the empire. At the outset there was considerable hope for success. Lord Shelburne, David Hartley, Adam Smith, and William Pitt the Younger all favored a large degree of free trade with the United States. Likewise behind such a move was the average English merchant, who anticipated a profitable market for his goods in the United States, as well as the West Indian planter, who needed fish, food, lumber, and the like, which could be purchased more reasonably in the United States than elsewhere.

Unfortunately, however, the old spirit of mercantilism was still too strong, and under the leadership of the conservative Lord Sheffield, a number of arguments were advanced against any change. Sheffield played up the assurance that other British colonies could supply all the commodities the British West Indies needed; failing that, British, rather than American, ships should transport American products to those islands. And any trade between England and the United States must be carried in English ships. He supported his position by writing:

It is the situation she herself [the United States] has chosen by asserting her independence. . . . By asserting their independence the Americans have renounced the privileges, as well as the duties, of British subjects. If, in some instances, as in the loss of the carrying trade, they feel the inconvenience of their choice, they can no longer complain.

Sheffield and his supporters knew Britain was in the driver's seat. She had what America needed, and she was the best customer for American exports. Under the circumstances, she felt she could dictate the terms.

In the first test of strength between the old and the new, Pitt introduced a measure for freer trade with the United States in the House of Commons in March 1783. The opposition arguments bore greater weight, however, and the bill was defeated. Two months later David Hartley advocated a treaty under which "all the citizens of the United States . . . shall be permitted to import into, and export from, any part of his Britannic Majesty's dominions, in American ships, any goods, wares, and merchandises" they had been allowed to during colonial days. This suffered the same fate as Pitt's proposal, as did other suggestions for commercial interchange based "on the most enlarged principles of reciprocal benefit to both countries."

The victorious mercantilists then gained undisputed control. In the summer of 1783 they backed a series of orders and decisions to monopolize imperial

traffic. The Prohibitory Act of 1775² was repealed, it is true, but only after an Order in Council decreed that all trade between the United States and the British West Indies, with few exceptions, must be carried in English bottoms. Moreover, American trade with Canada was limited to times of emergency to be declared by England alone. The only concession to the United States was that its ships were allowed to transport raw materials into English ports on the same terms as before the Revolution.

Under the circumstances, all the efforts of John Adams, special envoy to Britain, to negotiate a broad and satisfactory commercial treaty failed. Indeed, even before he left Paris in 1785 for his new post at the Court of St. James, Adams was informed by the British envoy to France that such a treaty was out of the question. What good would it be, intimated the Briton, when each and every state could make such an agreement "totally fruitless and ineffectual"? About the only formal concession that Adams was able to obtain was with British merchants, who agreed to waive interest charges on bona fide prewar debts that had accumulated during the Revolution.

Not all Americans were happy to be freed from the restrictions of the Navigation Acts, as indicated by an item in the *Massachusetts Centinel* of July 3, 1784, which stated that the inhabitants of the United States should be grateful "to the supreme ruler of the universe by whose beneficence our commerce is freed from those shackles it used to be cramped with, and bids fair to extend to every part of the globe, without passing through the medium of England, that rotten island, absorbed in debt, and crumbling fast to annihilation." The failure to obtain a favorable commercial treaty was not so much a handicap to American commerce as it was a source of humiliation and annoyance to the dignity of a young republic.

Throughout the Confederation period England dictated the terms under which the United States could trade with her. One result was an early decline of exports to the mother country, though imports from England were still large, in order to meet the needs of a war-torn country.

	EXPORTS TO BRITAIN	IMPORTS FROM BRITAIN
1784	£749,345	£3,679,467
1785	893,594	2,308,023
1786	843,119	1,603,465

After 1786 purchases from Britain rose again, so that by 1790 the United States was buying about as much as in 1784. As far as sales to Great Britain were concerned, there was a steady increase, except in 1786. For the six-year period through 1774 the colonies had sold an annual average of £1,752,142 to the mother country, and in the six years through 1789 the annual average was £908,636. Most of the decrease, however, was to be found in two items: tobacco, which averaged about £583,000 less, and rice, nearly £200,000 less. Trade in other commodities was about the same as before the war, despite the British restrictions.

² See pp. 562-564.

An important reason for the continuance of trade was that it was easier for England to enact laws than to enforce them. The demand for American goods in the West Indies was so great that they were purchased no matter in what ships they were brought. The governors of these islands permitted American vessels to enter their ports under almost any pretext, particularly the need for repairs. The proximity of "foreign" islands—Dutch, French, and Spanish—made it a comparatively simple matter to smuggle American goods to British shores.

Relations with France. The wartime friendship between France and the United States did not wholly continue after 1783. Because the United States could no longer help France weaken Great Britain, there was little effort made by France to fulfill the commercial treaty of 1778. True, the United States did not insist, because her exports were similar and France had little she wanted. Yet, as in the case of Great Britain, trade with the French West Indies was important to the United States as a source of specie. Fortunately, France did not take the same position as England. For example, in 1786 those islands purchased goods to the value of 13.5 million livres, and sold but 7.25 million, to pile up a tidy trade balance for the United States. Furthermore, this commerce aided American shipping, as one hundred thousand tons were devoted to such trade every year. As for exchange with France, the United States also sold more than it bought; the average annual sales between 1783 and 1789 amounted to 9 million livres; purchases averaged but 2 million. Tobacco was the largest American export, helped by contracts Robert Morris made in 1785–1787. Under them, France agreed to buy twenty thousand hogsheads a year at thirty-six livres a hundredweight. In addition, Morris was allowed a million livres to force down the American market price. Planters of Maryland and Virginia, anxious to obtain as high prices as possible for their product, objected strenuously. Minister Jefferson, sympathetic to their cause, was able to break the contracts in 1787. His most important work in a diplomatic capacity, however, was to promote closer cultural ties between the two countries.

Relations with Holland. The commercial treaty with Holland in 1782 helped to stimulate trade between the two nations. The United States did not buy a great deal, but its sales, consisting chiefly of rice, tobacco, and naval stores, mounted rapidly during the first decade. In 1785, for example, a million dollars' worth was sent, and by 1787 this amount had quadrupled. Not only did this commerce provide another source of specie, but it improved all relations with Holland. This is shown by the Dutch offer to buy out the entire American debt to France.

Spanish-American Problems. Spain was antagonistic toward the United States. One reason was the southern boundary line drawn in the Treaty of Paris. Spain still insisted that it be fixed at $32^{\circ} 30'$, and therefore paid no attention to American claims to the 31st degree line. She refused to give up her out-

post at Natchez, even though it was now in United States territory. Like Britain in the Northwest, Spain tried to maintain her control over the Indians of the Southwest to dominate the valuable fur trade of that region. One method was to spread stories about the danger of American expansion at Indian expense—something it was not difficult to make the tribesmen believe. Another means was to negotiate treaties of friendship and alliance with the various Indian tribes, which, fortunately, were not effective because the Spaniards lacked the trade goods the Indians wanted. Still another device to keep Americans out of the Southwest was to grant special privileges to two Georgia loyalists, Alexander McGillivray and William Panton, who were allowed both to engage in the fur trade and to spread propaganda among the Indians against the American "trespassers."

Probably the most effective retaliation was the withdrawal of the right of deposit at the mouth of the Mississippi in 1784, thereby effectively closing that waterway to the commerce of the increasing number of Americans who had moved into present Kentucky and Tennessee during the war. Because the products of these frontiersmen were bulky and the roads to the East poor, it was easier for them to export by way of the river. As their flatboats could not continue into the Gulf of Mexico, the cargoes had to be placed on land at the river mouth to await ocean-going ships. The Spanish order of 1784 limiting the right of deposit to Spanish ships closed that outlet to Americans. Spain hoped that this action would discourage more American settlers, traders, and land speculators from entering the disputed area. In turn, Spain could cement her control over the Southwest and safeguard both the Floridas and Louisiana from American greed.

The various Americans interested in the Southwest placed the blame for what was happening on the governments of the Eastern states, and adding to this sectional antagonism were the Eastern efforts to control their political future. Some Westerners apparently were willing to listen to Spanish offers to break away from the United States. Indeed, Washington wrote in the late spring of 1785, "The western settlers (I speak now from my own observation) stand as it were on a pivot, the touch of a feather would turn them any way."

Spain was also concerned about the fate of the Southwest, and sent over Diego de Gardoqui, who had become friendly with Jay during the latter's mission to Spain at the time of the Revolution. The Spanish diplomat was instructed to persuade the United States to give up its rights on the Mississippi, to recognize Spanish claims to an enlarged Florida, and to accept Spain's claim, made in 1784, to a large tract on the east bank of the Mississippi as far north as the Ohio River. A wise statesman, he employed every means to achieve his objectives. He played on Eastern fear and dislike of the growing West, which would weaken the East politically; this was easy to do because men like Rufus King and Gouverneur Morris believed the United States would be better off without the West. He catered to the vanity of Mrs. Jay, taking her to dinners and dances, for through her influence over her husband he might persuade Jay to accept his terms. "A Little management in dealing with her and a few timely

gifts will secure the friendship of both," Gardoqui wrote, "because I have reason to believe that they proceed resolved to make a fortune." The Spaniard tried to win over George Washington, so influential especially in the South, with a gift of a Spanish jackass for his farm. He appealed to Eastern land speculators, who frowned on competition from Western acreage, and to Eastern merchants, who regarded England as the natural commercial center.

Finally, in August 1786, after months of stalemate, Congress told Jay he could withdraw demands for navigation rights on the Mississippi if Spain agreed to a favorable commercial agreement. Accordingly, the Jay-Gardoqui Treaty was drawn up, but when Congress opened discussion of this document, it was quickly apparent that the five Southern states, concerned about the possible loss of the West, and believing that Jay had sold out to the commercial interests of the Northeast, were vigorously opposed. James Madison was the severest critic. Because the treaty supporters realized that the votes of the opposing Southerners were enough to defeat the agreement, they withdrew it from further consideration.³

Shortly after this failure to settle several controversies, Spain modified her position in relation to American settlers in the disputed area. In 1787 the conscienceless James Wilkinson of Kentucky, who would do anything for money, proposed that the local officials at New Orleans grant him and his associates the privilege of using the Mississippi in exchange for their help in promoting the cause of Spain among dissatisfied Americans of the Southwest. The Spaniards were sympathetic to his overture and sent it to the home government for approval. Fortunately for the United States, Spain rejected this treasonous effort. In 1788, however, she did promote three new plans. First of all, she permitted residents of Kentucky and Tennessee to use the Mississippi as far as New Orleans if they paid a duty of 15 per cent, and for a favored few it would be only 2 per cent. Moreover, for an additional export levy of 6 per cent, such goods could be shipped from New Orleans to Spain, France, and their respective West Indian islands, but not to American ports. Secondly, inducements of religious toleration and broader commercial privileges were offered to Americans to settle in Louisiana. Spain hoped that an influx of settlers would strengthen her control there. And finally, Gardoqui was authorized to reopen treaty negotiations, granting the new republic concessions not offered previously. As none of these plans was successful, the opening of the Mississippi to American commerce had to await the signing of the Treaty of San Lorenzo in 1795.

Negotiations with Other Nations. Benjamin Franklin and John Adams were the first postwar envoys assigned the task of obtaining commercial treaties. The first they negotiated was with Sweden in 1783. In July 1784 Thomas Jefferson joined them in Paris. In February 1785 Adams was named as envoy to England, and Jefferson replaced Franklin in France. But before Adams received his new appointment, he had initiated talks with Prussia about a treaty. As he had to

³ Continued concern over Northern dominance led the South to insist that a treaty require a two-thirds vote in the Senate under the Constitution.

leave for London before arrangements were completed, his successor, William Short, finished the negotiations in August 1786. This agreement, based on the Plan of 1776, emphasized that free ships made free goods and that privateering should be banned.

Causing considerable damage and annoyance to American commerce in the Mediterranean Sea were the so-called Barbary pirates, who infested these waters from their lairs in Algiers, Morocco, Tripoli, and Tunis. Colonial ships had been protected by British squadrons prior to 1775, but in the postwar period American merchant vessels were on their own. Thus, their cargoes were easy prey for the pirates, and their crews were captured and held for ransom.

In February 1786 John Adams sought to end this peril by negotiating with Abdrahaman, the minister from Tripoli to England. When the wily African demanded a tribute of £200,000, however, Adams had to end the discussion because he knew his country could not afford such an amount. Then Jefferson, from Paris, tried to organize an international fleet to wipe out the pirates' nests. Even though this would be the cheapest way to end the menace, Congress would not even consider contributing one frigate.

At the end of June 1786, however, Thomas Barclay obtained an audience with the Emperor of Morocco, which led to a treaty under which Morocco agreed not to allow attacks upon American shipping from its shores in return for gifts valued at approximately \$10,000. All efforts to negotiate agreements with Algiers, Tripoli, and Tunis were unavailing throughout the remainder of the century.

Trade with the Orient. In an effort to compensate in part for the expected decline in trade with Britain, venturesome Americans turned to the Far East. The first attempt to open commerce with China was made by Captain John Greene, who left New York City in February 1784 in command of the *Empress of China*. In her hold was a varied cargo of trade goods, chiefly ginseng, a root the Chinese believed would restore vigor and vitality. The vessel reached Canton that summer, where it exchanged its commodities for silk, tea, and other Oriental wares. On the return to New York in May 1785 Greene realized a profit of at least 20 per cent for his backers. Soon exporters from Boston, Philadelphia, Providence, Salem, and other American ports were engaged in this profitable traffic. By 1789 the United States ranked second to Britain in the number of ships participating in this Canton trade, and in the resulting profits.

State Opposition to Central Commercial Control. Perhaps this long struggle for trade and commerce would have been shortened if Congress had been given the power to regulate the commerce of the states. Try as it would, however, Congress could not prevail upon the commonwealths to amend the Articles for that purpose. The first attempt was made even before the Articles went into effect, when on February 3, 1781, John Witherspoon of New Jersey moved in Congress:

That it is indispensably necessary that the United States in Congress assembled, should be vested with the right of superintending the commercial regulations of every State, that none may take place that shall be partial or contrary to the common interest; and that they shall be vested with the exclusive right of laying duties upon all imported articles, no restriction to be valid, and no such duty to be laid, but with the consent of nine states. . . .

This motion was defeated, but immediately another resolution was approved:

That it be recommended to the several states, as indispensably necessary, that they vest a power in Congress, to levy for the use of the United States, a duty of five per cent. *ad valorem*, . . . upon all goods, wares and merchandises of foreign growth and manufacture. . . .

That the monies arising from the said duties to be appropriated to the discharge of the principal and interest of the debts already contracted, on the faith of the United States, for supporting the present war.

The early responses from the states to this proposed amendment were in the affirmative, but Rhode Island stubbornly refused her assent. She asserted that a disproportionate burden would be placed upon commercial states. In addition, outside collectors would come within her borders, contrary to the free laws of Rhode Island. And finally, Congress would have the right to collect funds and spend them without an accounting to the states. Thus, the colonial fear of taxation by an external authority was still a haunting one. And Virginia presently repented of her approval, rescinding it on the ground that her sovereignty would be in jeopardy.

On April 18, 1783, Congress tried again, this time with the Revenue Amendment. Under it, Congress would be allowed to collect specific duties on about a dozen items and a 5 per cent *ad valorem* levy on all other imports. Collectors would be named by the states, but could be removed by Congress. In addition so these duties, the states should raise \$1.5 million annually according to a quota system based on population—three fifths of the slaves would be counted, but not untaxed Indians. The income from these sources would be used to take care of the principal and interest of the national debt. This time New York refused its consent.

The third attempt was the Commerce Amendment of April 30, 1784, which would give Congress the right to prohibit trade with countries with whom the United States had no commercial treaty. This authority would be limited to fifteen years and was directed specifically against England. Only two of the states endorsed this proposal. Thus, fundamental weaknesses of the Articles of Confederation were brought to light.

The states were no more receptive to the only remaining method by which Congress could obtain revenue, the requisition system. Congress sought approximately \$16 million from the states during the Confederation period, but the states responded with only \$6 million, and of that amount about 40 per cent was in depreciated state bills of credit. Therefore, the only way the government

could finance its operations was by borrowing from the recently established Bank of North America, and from France and Holland.

Disappointed by the financial situation, Robert Morris, who had been superintendent of finance since 1781, resigned. At his suggestion, Congress established the Treasury Board in 1784, consisting of Samuel Osgood, Walter Livingston, and Arthur Lee. This agency was no more successful than Morris had been in persuading the states to contribute their share. About the same time, John Jay replaced Robert Livingston as secretary of foreign affairs in an effort to promote better commercial relations with other countries.

State Commercial Rivalry. Even though denying the power to the Confederation government, the states did not hesitate to levy discriminatory duties and port fees upon British shipping themselves. Starting with Maryland in 1783, ten states—Connecticut, New Jersey, and Delaware were the exceptions—passed measures against either British shipping or British imports in general. Unfortunately, such discriminations were not uniform, so that British exports to the United States simply were shipped to the ports with the smallest levies. And from such ports they found their way to practically every community, where they successfully competed with domestic products.

To make matters worse, states were at odds with each other. New York City, with an excellent harbor, attracted much foreign shipping and gained a goodly income from such traffic. Her neighbors, New Jersey and Connecticut, with no good ports, had to buy and sell through New York, paying high prices and fees for the privilege. New Jersey retaliated by levying a tax of \$1,800 a year on a lighthouse New York had erected on Sandy Hook, and some Connecticut merchants signed a pledge not to send any commodities to New York for a year, under penalty of a \$250 fine. Philadelphia dominated southern New Jersey and Delaware in somewhat the same fashion; Delaware retaliated by making Wilmington and Newcastle free ports, hoping thereby to attract foreign trade. Charleston profited at the expense of North Carolinians. The hostilities developing over these incidents boded ill for a new nation.

Problems of Debts and Money. Also contributing to the economic difficulties was the fact that all the states were deeply in debt at the close of the Revolution. For example, in 1783 Pennsylvania owed about £4.64 million, Rhode Island about \$500,000, and Connecticut approximately \$3.75 million. Virginia in 1784 had to allocate £207,000 out of an income of £256,000 toward her state debt, and South Carolina, £83,184 out of £103,526 for the same purpose. Some states, especially in the South, did start paying off their Revolutionary debts, but others made little effort to amortize their financial obligations.

The situation might not have been so critical had it not been for the postwar depression, brought on by the usual factors: loss of wartime contracts, ending of privateering profits, depreciated paper, and loss of prewar markets. Thus, the states were hesitant to tax their peoples heavily, not only because the inhabitants were unaccustomed to paying such levies, but also because they did not

have the money to do so. Sale of confiscated Loyalist property was no longer a ready source of revenue, so that the states had to rely on customs duties (which were not large because of interstate rivalry), general property taxes, poll taxes, and excise levies, particularly on liquor.

By 1785 the depression had deepened, and debtors, chiefly farmers and small tradesmen, concluded that the only solution was paper money, a step vigorously opposed by merchants and importers. Consequently, there developed within each state another rivalry—that between creditors and debtors. In this conflict, the creditors generally had the advantage, because they dominated state legislatures, and tried to prevent runaway inflation, such as had taken place during the war.

Virginia, Delaware, and Maryland did not issue any bills of credit, although Maryland escaped only after a partisan struggle.⁴ New York and South Carolina had to resort to paper, but controlled it so well that depreciation was small. In New Jersey, Pennsylvania, and Georgia, on the other hand, large emissions of paper resulted in extremely rapid depreciation. In New England the state legislatures, with the exception of that of Rhode Island, did their best to avoid the lure of cheap money. In New Hampshire, however, only the presence of militia prevented an infuriated mob from attacking the conservative legislators at Exeter.

In Rhode Island, where the issue was sharply drawn, the legislature issued bills of credit to the amount of £100,000. This paper depreciated so rapidly that creditors would not accept it. Thereupon, the legislature passed a law making the bills of credit legal tender; those refusing to accept them would be arrested and tried without a jury. John Weeden, a butcher, refused and was brought into court. In the subsequent case (*Trevett v. Weeden*, 1786), the defendant's lawyer, James Varnum, asserted, "the legislative have the uncontrollable power of making laws not repugnant to the constitution. The judiciary have the sole power of judging those laws, and are bound to execute them; but cannot admit any act of the legislative as law, which is against the constitution." Four of the five supreme court judges decided that the court had no jurisdiction and threw out the case, but Judge Howell, in what might be called an obiter dictum, announced that the court believed the law in question unconstitutional because it required offenders to be tried without a jury in a court responsible to the legislature. The Assembly was incensed by this action and reprimanded the judges; by 1789, however, conservatives had gained the upper hand, and passed a measure evaluating the bills at 15 to 1.

Shays's Rebellion. The contest between the advocates of sound money and the supporters of inflation reached a climax in Massachusetts, where in the summer of 1786 the conservative-controlled legislature adjourned without passing either a measure for remitting more paper or one to prevent foreclosures on

⁴ Madison urged the Virginia legislature to discontinue paper currency as "unjust, impolitic, destructive of public and private confidence, and of that virtue which is the basis of Republican government."

homes and farms of debtors. The increasing number of debtors became furious as they saw their petitions for relief go unheeded. The first step to correct the existing abuses was taken by a Worcester town meeting on August 15, which strenuously protested. A week later a convention at Hatfield, representing some fifty towns of Hampshire County, went on record in opposition to the "selfishness" of the Massachusetts legislature, to the lawyers handling cases against debtors, to the courts for enforcing arbitrary foreclosure laws, and to the inequitable taxes that fell most heavily on the poorer classes.⁵ Congested court dockets and the resultant "delays in justice" also provoked complaint. The issuance of more paper, said the delegates, would do much to alleviate the situation.

Although the Hampshire convention urged changes by legal, constitutional means, the more lawless among the disturbed debtors got out of hand. Through mob action, courts were prevented from sitting at Northampton, Worcester, Concord, and Great Barrington in late August and early September 1786. The worried governor, James Bowdoin, thereupon called out some six hundred militiamen under General William Shepherd to guard the state supreme court, then sitting at Springfield. But when they were challenged by about five hundred farmers, headed by Daniel Shays, a bankrupt farmer who had been a captain in the Revolution, the militiamen were overawed and could not prevent the court from being forcibly disbanded.

When state officials declared Shays and his followers outlaws, the farmers decided to live up to the name. They planned to seize more arms from the United States arsenal at Springfield and then move on to Boston to compel the legislature to rescind the hated laws.

On October 20 the greatly disturbed Confederation Congress, refusing to countenance this threat to national property, ordered General Knox to raise some thirteen hundred men in New England, ostensibly to engage in a campaign against the Indians. The state, however, was eventually able to take care of the problem. Job Shattuck, leader of the eastern "outlaws," was captured on November 30, and opposition in that section collapsed. But Shays, with about twelve hundred malcontents, planned to join with another debtor group under Luke Day just after Christmas and move against Shepherd's men guarding the Springfield arsenal. Governor Bowdoin, sensing what was in the wind, and with financial assistance from wealthy conservatives, recruited more than four thousand volunteers under General Benjamin Lincoln.⁶

Something went wrong with the line of communication between Shays and Day, preventing the union of the two debtor forces. Shays thereupon attacked alone on January 27, 1787, only to be repulsed by Shepherd's fire. The next

⁵ In 1782 and 1783 seven conventions had been held in Hampshire County to discuss the grievances of the people. Samuel Ely, a former clergyman and a leader in these meetings, declared: "We must throw up our constitution . . . the constitution is broke already, the Governor has too much salary, the Judges of the Superior Court have too much salary, we can get men that will ride the circuit for half the money . . . the General Court should not sit, we will pay no more respect to them than to puppies."

⁶ The treasury of Massachusetts was empty; hence the resort to private subscription.

day Lincoln arrived with his large force, ultimately to crush or rout both the Shays and Day groups by March 1.

The Massachusetts legislature quickly issued an amnesty proclamation for most participants in the "rebellion," but excepted Shays and the three other top leaders.⁷ It realized that the whole movement was not motivated by treason, but by honest expressions of social and economic discontent. Yet, the so-called Shays's Rebellion had widespread ramifications. In Massachusetts the legislature, by the end of 1788, enacted several laws to lower court costs and to exempt from seizure for debt personal property and tools of trade. It also refused to approve a bill to increase direct taxes. Elsewhere there was general fear, especially among conservatives, that similar uprisings might occur throughout the United States and eventually lead to a civil war between the "haves" and the "have nots." Only a stronger central government could prevent such an eventuality. Thus, the Articles of Confederation continued to lose favor among the upper classes.

Evidences of Recovery. Despite the failure of the United States to gain a commercial treaty with England, her inability to persuade the states to give her control over trade and taxation, the quarrels among the states, and the paper money troubles, the new nation was beginning to emerge from the depression by 1787. One indication of this was the growing commerce with some of the countries of Europe, and more particularly with the Orient.

Of possibly greater importance were signs of domestic recovery. The very fact that a number of banks were chartered, notably in Massachusetts and New York, showed that there was a growing confidence in the future. The same thing can be said about the establishment of the Potomac Company under the presidency of George Washington, with charters from both Virginia and Maryland, to promote the navigation of the Potomac River and hasten the development of the West. Certainly, such a company would not have been able to obtain subscribers had there not been a feeling of optimism.

Then, too, greater attention was given to industrial promotion. More and more boots, shoes, coarse woolens, silver and pewter articles, nails, white lead, glass, and furniture were being manufactured. Silkworm culture was promoted, and more spinning wheels were produced and put into operation.

In 1785 the Association of the Tradesmen and Manufacturers of the Town of Boston was organized, representing twenty-six different trades, to encourage diversified industry; the same year the General Society of Mechanics and Tradesmen of the City of New York came into being for the same purpose. Two years later Philadelphia established the Society for the Encouragement of Manufactures and Useful Arts, an organization that became the model for similar agencies in Baltimore, New York, and Boston the following year.

These are but samples of the spirit of enterprise throughout the United States near the end of the Confederation period. There were many, however, who

⁷ They were ultimately pardoned in June 1788.

believed that ultimate success could not be attained until the central government was strengthened, and they were already working toward that goal.

The Problem of Vermont. Since the beginning of the eighteenth century New Hampshire and New York had been quarreling over ownership of the Vermont region. England had decided in favor of the claims of New York to that area in 1764, but New Hampshire refused to accept this verdict. At the outbreak of the Revolution, Ethan Allen and his Green Mountain Boys supported the patriot cause and played a prominent part in the capture of Fort Ticonderoga in 1775. They and other Vermonters expected that this service would be rewarded with statehood.

When the Continental Congress refused to act, the Vermonters living west of the Connecticut River in 1777 established an independent state of their own. Dissatisfaction with New Hampshire administration soon prompted those east of the river to join them. Congress so vigorously opposed this latter action that the eastern communities returned to New Hampshire's jurisdiction. Even within Congress there was difference of opinion; the New Englanders were determined not to allow New York to gain the disputed region, but others opposed separate statehood for Vermont.

At this juncture Lord George Germain, seeing an opportunity to drive a wedge between the revolting colonies, offered Vermont self-governing status within the empire. Nothing was done about this proposal until 1780, when Ethan and Ira Allen, leaders of the dissatisfied Vermonters, consulted with General Haldimand at Quebec. He offered them a liberal constitution, good political positions for the leaders, and the right of the colony to expand. The conclusion of the Revolution, however, ended the negotiations for the time being.

With the coming of peace, the Confederation Congress was still unwilling to admit Vermont as a state, and the Allens thereupon reopened talks with England. This was only natural for another reason: the normal commercial outlet for Vermont was northward to Canada and the St. Lawrence, in much the same fashion as the Western communities looked to the Mississippi. Britain took advantage of the situation by offering numerous trade concessions.

Throughout the Confederation era Vermont remained on the fence. It was not until after the adoption of the Constitution that both New York and New Hampshire were persuaded to relinquish their claims to Vermont land, and only then was statehood offered and accepted (1791). Whether Vermont was serious in her negotiations with England, or continued them in order to hasten statehood, is still a moot question. There is a growing belief, however, that if Vermont had received all the concessions from England that she desired, she would not have become the fourteenth state.

The Northwest Posts. Even more troublesome in United States-British relations than the inability to negotiate a commercial treaty or the Vermont issue was the problem of the Northwest posts. At the conclusion of military hostilities

England still held control of a chain of forts and posts along the Great Lakes, the most important being Oswego, Niagara, and Detroit. Although the Treaty of Paris in 1783 contained a clause providing for British evacuation of American territory "with all convenient speed," England stubbornly refused to comply.

When the United States protested this treaty infringement, England replied that America had already broken its part of the bargain by not paying bona fide prewar debts and by failing to return confiscated Loyalist property. Actually, however, Britain had already determined to hold the posts as long as possible. The primary reason for this decision was the lucrative Western fur trade, worth at least a million dollars a year. Montreal dealers had been obtaining most of their pelts from tribes residing in what was now American territory. Were the posts relinquished, American competitors would flock into the Northwest, monopolize the trade, and channel it by way of the Mohawk Valley to Albany and New York City, instead of by way of the St. Lawrence to England. Not only would the Montreal traders thereby suffer financially, but so would English importers and the royal treasury.

Even if Canadians continued to dominate the fur trade, their business would fall off were the posts surrendered. As Americans moved in, they would take over Indian lands, cut down the forests, and destroy the fur-bearing animals. Another reason was that the Indians there had been loyal to Britain during the Revolution; indeed, many had actually fought on the English side. If they learned that England had sold them out at Paris, they might turn against both groups of whites and there would be graver troubles than had been experienced at the time of Pontiac's Conspiracy. England, by holding the posts, could keep the Indians ignorant of the treaty terms and persuade them to regard her as their friend and Americans as hated enemies.

Consequently, as early as April 1784 Sir Guy Carleton (now elevated to the peerage as Lord Dorchester), governor of Canada, received a royal order to maintain control of the posts on American soil "at least until we are enabled to secure the fur traders in the Interior Country." Indians might be used if necessary to accomplish this objective. Yet, three months later, when the worried American Congress sent Lieutenant Colonel William Hull to negotiate with Haldimand at Quebec for prompt evacuation, he was told that no British instructions had been received from London on the controversial issue. And Haldimand continued that in his "private opinion," no orders would be forthcoming as long as Americans continued their ill treatment of the Loyalists.

To make the situation worse, Sir John Johnson, now an official of the British Department of Indian Affairs, spread considerable propaganda among the tribes of the Northwest. The United States, he asserted, was resorting to a policy that outwardly appeared friendly and conciliatory, but that was actually aimed at robbing the Indians of their lands. Johnson warned them to stand firm on the advantages they had gained at the Treaty of Fort Stanwix. Moreover, through his agents he distributed food, supplies, guns, and ammunition from British depots.

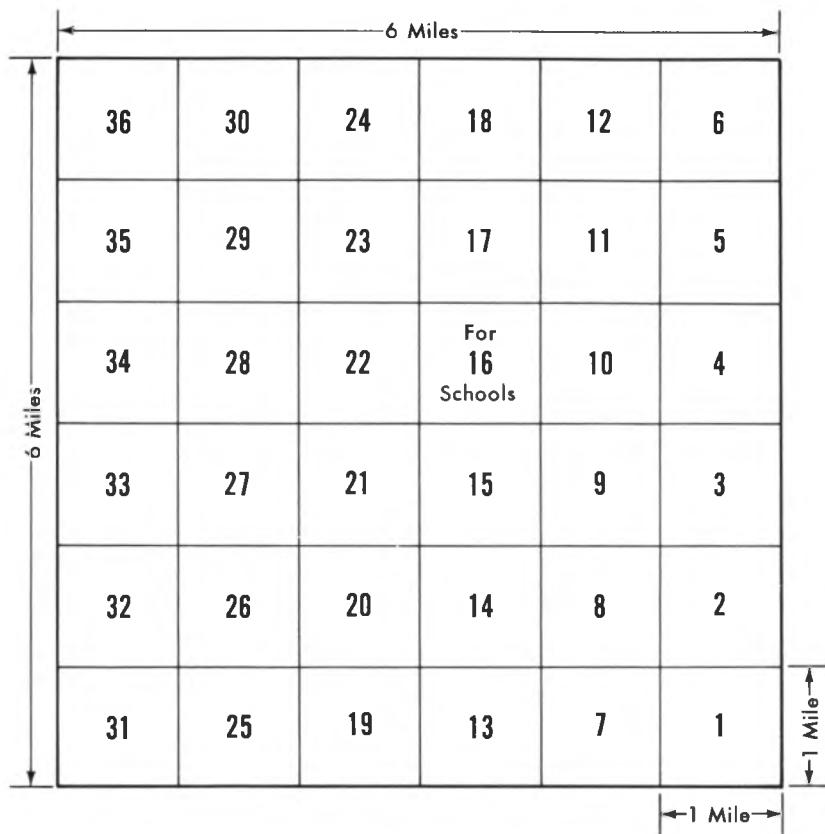
Throughout the decade following the Revolution, England refused to give up these Northwest posts. One way to drive out the British trespassers was by force, but the young United States was in no way prepared for war. A second method would be to grant land in the territory to Americans on liberal terms and hope that the resultant settlements would lead to actual possession.

The Ordinance of 1784. Even while Congress was struggling with the important problems of state cessions and Indian treaties, other equally weighty issues emerged. First of all, something must be done to provide local government west of the mountains. Therefore, a committee, headed by Thomas Jefferson, was appointed to draw up initial plans for administering the territory ceded to the central government by the states, as well as land acquired from the Indians.

The committee reported in favor of carving fourteen states from the national domain, each to be two parallels in width from north to south, and to be burdened with such fanciful names as Sylvania, Michigania, Cherronesus, Assenisippia, Metropotamia, Illinoia, Polypotamia, and Pelisipia. In each unit, either as a result of local petition or by Congressional order, the free adult males could establish a temporary government, adopt a constitution, and use any of the laws of any of the original states. Then, when its population reached twenty thousand, the unit could elect a convention to draw up a constitution and establish a permanent government. Such a government, however, must forever remain part of the Confederation, adhere to the Articles, and bear its share of federal debts. Furthermore, it must not interfere with disposal of land by the United States, or assess land owned by the United States, or tax property of nonresidents at a higher rate than that of residents. Such a unit must also maintain a republican form of government, and after 1800 ban slavery and involuntary servitude.

In its relationship to Congress during its formative stage, the unit might send a delegate to Congress who could participate in debates, but not vote. When it obtained as many inhabitants as the least populous original state, Congress might admit the unit into the Union as a state on a parity with the first thirteen.

On April 23, 1784, Congress accepted this report by incorporating it into the Ordinance of 1784. There were, however, two important changes from the original. Discarded was the specific provision for fourteen states, along with the unusual names Jefferson had selected for them, and by a vote of seven to six the ban on slavery was removed. Yet, after all the work done, the plan was never used as such, although it became the basis for a later measure, the Northwest Ordinance. Opposition to the 1784 Ordinance came from various parts of the nation. Easterners feared that too many states might be formed in the transmontane region, thereby eventually outweighing the political power of the seaboard states, on whom would be forced agrarian objectives. Another protest was based on the belief that the Ordinance provided far too liberal government, which would end in chaos. Westerners, on the other hand, believed that state lines should follow natural boundaries.



A Township Survey.

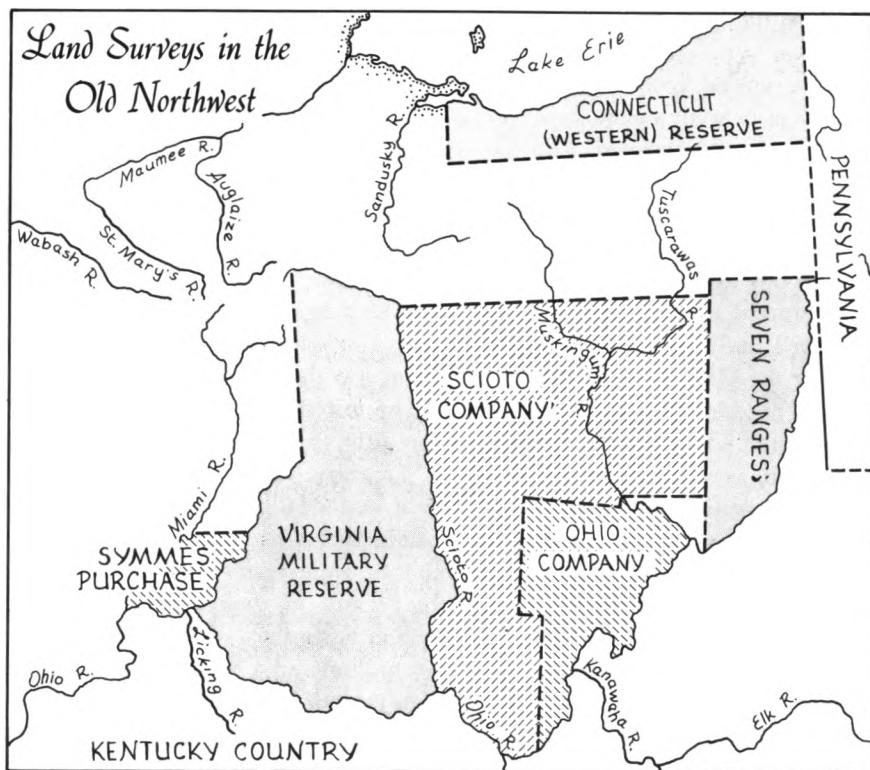
The Ordinance of 1785. Although no use was made of the Ordinance of 1784, it was still essential that Congress provide promptly for the disposition of Western lands. The government was in sore need of money to reduce the war debt and to help pay the cost of current operations. Sale of Western lands would provide a goodly source of revenue, but how should it be sold? The two most popular methods in the past had been the New England and the Southern. Under the former, it was the practice to make a survey of territory before it was settled, and then sell the resultant blocks. This method had the advantage of preventing conflicting titles and of providing an orderly westward advance. Yet, at the same time, it compelled settlers to buy poor land with the good and to move in groups. The second, or Southern, method gave the prospective settler the right to buy a land warrant, choose the acreage he desired, and then have his plot surveyed. This method had the advantage of speeding up settlement, but at the same time caused chaos in titles, as well as irregular holdings because the purchaser selected only the best land.

Both methods had their proponents, as the flood of petitions and proposals began to reach Congress in 1781. One suggestion that received much consideration was made by Pelatiah Webster: the Western lands should be surveyed into townships and then auctioned by the government for at least a dollar an acre. It was not until March 1785 that Congress took definite action by appointing a special committee to investigate the different proposals and make recommendations. This report virtually adopted the Webster proposal, recommending that the Western lands be divided into townships seven miles square and that they be sold at auction only in township blocks to groups at no less than a dollar an acre. The Southern representatives, however, vigorously opposed this committee report. They asserted it was impossible for their isolated and individualistic inhabitants to unite and agree upon the purchase of a full township. Consequently, Northern migrants would have the advantage.

The Southern arguments were strong enough to cause changes in the committee recommendation, and the result was the passage on May 20, 1785, of the Ordinance of 1785. An important figure in this action was William Grayson of Virginia, a war veteran, lawyer, and land speculator, who was interested in Western development partly as a means of obtaining free navigation of the Mississippi. Indeed, the law is sometimes referred to as the Grayson Land Ordinance.

Under this Ordinance, the Western government-owned lands were to be divided into townships six miles square "by lines running north and south [the so-called range lines], and others crossing these at right angles [known as base lines]." The northernmost base line was to be run due west from the point where the Ohio River crossed the Pennsylvania border. The range lines, sufficient to provide seven ranges, would be drawn from this base line south to the Ohio River. The resultant townships in turn were each to be divided into thirty-six equal parts, each part or section to be a mile square, or 640 acres. All sections in every township were to be numbered consecutively in the same fashion, Section 1 being in the southeast corner. Section 16 in each was to be reserved "for the maintenance of public schools within the said township," and Sections 8, 11, 26, and 29 were set aside for the United States. One seventh of the land in the seven ranges, selected by lot, was allocated to the Secretary of War "for the use of the late Continental Army." As soon as the first seven ranges had been surveyed, at an estimated cost of \$36 a township, the land therein was to be opened to buyers. The first township would be sold as a whole at auction by loan-office commissioners; the second in sections, and thus alternately throughout. Thereby both the New England and the Southern methods were employed. The minimum price was to be a dollar an acre, "to be paid in specie, or loan-office certificates of liquidated debts of the United States, including interest."

This Ordinance had its advantages and disadvantages. It did provide security for the purchaser and prevented the helter-skelter system the Southerners had been using. Yet, it required the sacrifice of speedy return from land sales, because surveys were slow and very few prospective settlers had the \$640 needed to buy the minimum section at the minimum price. Indeed, by the spring of



1787 only four of the seven ranges had been surveyed; rough terrain and Indian attacks combined to retard the work. And by the fall of the same year government sales showed slightly more than \$175,000 in profit—all of it in depreciated paper.

The Ordinance of 1787. Meantime, factors were at work to cause important changes in the method of disposing of Western lands. First of all, some time late in 1785 General Rufus Putnam, a veteran of the Revolution, hatched a scheme of land speculation, with depreciated soldiers' certificates as the medium. These certificates had been issued to discharged veterans instead of cash, and had declined considerably in value. If he could persuade the ex-soldiers to sell them to him or to a company at a few cents on the dollar, he could exchange them at face value for land in the West. Putnam brought into the project his friend General Benjamin Tupper, who joined the surveyors of the seven ranges to learn what land might be best for the venture. Tupper soon concluded that the region in the Muskingum Valley southwest of the seven ranges would be the most suitable.

The two men then advertised in the Massachusetts press in January 1786, asking veterans interested in "an association by the name of the Ohio Company" to meet in a Boston tavern on March 1. Eleven men showed up on the

appointed day and organized the Ohio Company of Associates. Their first objective was to raise a million additional dollars through the sale of shares valued at \$1,000 apiece, to be paid for in soldiers' certificates in addition to \$10 in specie. Shares went slowly, however, and by the end of the year only 250 subscribers had come forward. Also disappointing was the work of General Samuel Parsons, the original company lobbyist in Congress.

An improvement was made by replacing Parsons with the Reverend Manasseh Cutler, a capable and shrewd Massachusetts minister. The decision was also made to buy as much land as possible with the existing capital; then, with the colony started, enough interest would be aroused to sell the remaining shares.

Cutler's initial effort to persuade Congress to scrap the small sales idea by granting the Ohio Company a huge tract at less than the stipulated dollar an acre did not obtain any official support. The minister was just about ready to return home when he was approached on July 27, 1787, by Colonel William Duer, who, as secretary of the Board of Treasury, was principally responsible for the disposition of public lands. Over a seafood dinner in Brooklyn, Duer told of how a group of government officials, including numerous members of Congress and wealthy New York merchants, were ready to form the Scioto Company to speculate in Western lands. Because of their positions, however, they could not openly ask for the five million acres they wanted. Therefore, if Cutler would renew his offer to purchase a million and a half acres for a million dollars, Duer would push through the deal, provided that Cutler also asked for the land desired by the Scioto Company. Cutler agreed to do so if his transaction could be paid for in soldiers' certificates—which the Ohio Company could purchase from veterans at the rate of 66 $\frac{2}{3}$ cents an acre.

Within a few days after this agreement was reached, Congress gave its approval to the sale of large tracts, and the Board of Treasury agreed to sell a million and a half acres to the Ohio Company and five million to the Scioto Company; the latter tract was to be west of the Ohio Company's land.⁸

The wily Cutler was not completely pleased with his arrangement, despite the excellent financial terms. Purchasers would not be attracted unless the United States established a satisfactory government in the Ohio country. Fortunately, Congress had been flooded with protests and was already considering several plans for revision of the Ordinance of 1784. Therefore, on July 13, 1787, even before the Ohio Company deal had been made, the famous Northwest Ordinance of 1787 was passed unanimously by the eight states with delegations then in Congress. Again, William Grayson, who had become friendly with Cutler, was an important figure.

This Ordinance provided for three stages of government in the "Territory

⁸ Actually, the Ohio Company received 1,781,000 acres. The "hard money" value paid for the land was about eight cents an acre (the company paid veterans an average of about twelve cents for a certificate worth 66 $\frac{2}{3}$ cents). The Scioto Company issued thirteen shares to Cutler and his friend Winthrop Sargent for their work, kept thirteen for the Duer group, and arranged to have six shares sold abroad. Also, the Scioto Company loaned the Ohio Associates \$200,000 to help in the down payment. The Duer group never did prosper, however, and in 1792 had to default on its land contract.

North West of the Ohio River." The initial stage provided for a government consisting of a governor, a secretary, and three judges, all appointed by Congress. The laws for the "colony" were to be "such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district." When there were five thousand adult males in the "colony," the territorial or second stage might begin. The governor would still be appointed, but the qualified voters could elect a territorial legislature, which in turn could nominate ten persons for membership in a legislative council. Congress and the governor were to select five from this panel. Also, the territory could send a delegate to Congress, who could participate in debate, but not vote. When the total population reached sixty thousand, the population of the least populous state, a constitution could be drawn up and sent to Congress, along with an application for statehood. When both had been approved, the territory would be admitted into the Union "on an equal footing with the original States." Not less than three and not more than five states might be formed from the entire area.

The Ordinance also included what might be called a bill of rights. No resident was to be "molested on account of his mode of worship or religious sentiments," the right of habeas corpus was to be enjoyed, along with the privileges of the common law, there were to be "no cruel or unusual punishments," and private property rights were to be respected. All residents were to enjoy proportionate representation in their legislature. Because "religion, morality, and knowledge" were essential "to good government and the happiness of mankind," schools were "forever" to be encouraged. Indians were to be treated fairly, and both slavery and involuntary servitude prohibited, except in punishment for crime. Grayson was held responsible for the last clause, to prevent "tobacco and indigo from being made on the northwest side of the Ohio."

The Ordinance of 1787 has been called the most important and far-reaching legislation by the Confederation Congress. It helped speed up the settlement of the Northwest. It provided for three definite stages of orderly government, culminating in statehood on an equality with the older states. It gave the residents training in self-government. It caused the inhabitants to look to the central government for authority; therefore, the state-rights doctrine was conspicuously absent in the states formed under the Ordinance. And subsequently, its provisions were extended to the region west of the Mississippi.

THE CONSTITUTION



Five months before the Articles of Confederation went into effect, voices of dissatisfaction were already being raised. One of the first critics was the young Alexander Hamilton. In early September 1780 he expressed to James Duane of New York his opinion that the absence of a strong central government would lead to trouble. "An uncontrollable sovereignty in each state," he declared, "will . . . make our nation feeble and precarious." Only Congress should have jurisdiction over matters relating to "war, peace, trade, and finance." Shortly after the Articles were ratified, James Madison was largely responsible for a proposed amendment that would give Congress the power to force the states to honor their obligations, especially financial, to the national government. In the summer of 1781 Edmund Randolph of Virginia presented a committee report advocating twenty-one changes in the Articles and seven ways by which the Congress should be strengthened at the expense of the states. Hamilton came forward again in 1782 with a series of critical articles in the newspapers. The major attack was made upon the inability of Congress to regulate commerce and to levy taxes. Moreover, nothing could be more detrimental to domestic interests and prestige abroad than "a number of petty states, with the appearance only of union, jarring, jealous, and perverse, without any determined direction. . . ." A strong central government was the only solution.¹

General Washington, in his "circular to the States" of June 1783, asserted, among other things:

That unless the states will suffer Congress to exercise those prerogatives they are undoubtedly invested with by the constitution, everything must very rapidly tend to anarchy and confusion.

That it is indispensable to the happiness of the individual States that there should be lodged somewhat a Supreme Power to regulate and govern the general concerns of the Confederated Republic, without which the Union cannot be of long duration.

¹ For some of the views concerning the reasons for adopting the Constitution, see Charles Beard, *An Economic Interpretation of the Constitution of the United States* (1913); Robert E. Brown, *Charles Beard and the Constitution: A Critical Analysis of "An Economic Interpretation of the Constitution"* (1956); Forrest McDonald, *We the People: The Economic Origins of the Constitution* (1958); and Jackson T. Main, *The Antifederalist Critics of the Constitution, 1781-1788* (1961).

In more official circles, as early as 1782 the first proposal to amend the Articles of Confederation was made through the New York legislature, but it was pigeonholed by a reluctant Congress. Two years later its members were constantly talking about the need of a general revision, and in 1786 the legislators of Massachusetts resolved to seek a convention to strengthen the central government. The delegates to Congress from the Bay State, however, would not submit the resolutions, using the excuse that "such a measure would produce thro'out the Union an exertion of the friends of an Aristocracy to Send members who would promote a change of government."

Despite these criticisms and proposals, the supporters of the existing frame of government were in the majority. Their fear of control by the few and their avid support of the rights of the states made them wary of any strengthening of the central administration. Little did it matter to them that Congress was unable to raise money for national use, that it could not prevent bickerings between and among the several states, or that, as a result, the United States was becoming a laughingstock both at home and abroad.

Fortunately, the critics continued their agitation despite the rejection of their proposals. And two states, Virginia and Maryland, torn by commercial strife, finally realized that something must be done to correct the existing weaknesses.

The Mount Vernon Conference. For several years Virginia and Maryland had been at odds. One of the reasons stemmed from the Maryland charter of 1632, which placed the southern boundary of Maryland along the southern bank of the Potomac. This in turn meant that in the controversial 1780's Maryland could regulate and tax all Virginia commerce using that waterway. Another cause for bitterness developed from the fact that the mouth of the Chesapeake was within Virginia territory. Therefore, Virginia insisted that Maryland ships passing through its entrance be taxed to help pay the costs of the lighthouse and beacons marking the channel. Both states taxed users of the Pokomoke River, which rose in Maryland but emptied in Virginia. In addition, the two states were battling over respective tariff duties on English goods.

The first effort to promote commercial peace between the two rivals was made in 1777, but came to nought, as did subsequent attempts in the years following. In 1784 James Madison was made head of the Virginia Assembly Committee on Commerce. It was largely through his efforts that a conference, scheduled for Alexandria, was arranged with Maryland. George Washington was especially interested in this meeting because he was president of the recently established Potomac Company, an agency to improve the navigation of the river in order to facilitate access to its members' Western lands. The company could not develop properly unless the interstate complications were solved.

The Alexandria session of 1785 did not accomplish much because the Virginia delegates were not ready and had no specific instructions. When the conference was about to break up, Washington invited the delegates to his home at nearby Mount Vernon. There, with Samuel Chase of Maryland and George Mason of Virginia as the leaders, the conferees went on record as favor-

ing tariff uniformity for mutual prosperity, interstate cooperation in commerce and defense, and annual meetings to extend the expected benefits.

The Annapolis Convention. The respective legislatures approved the work of their commissioners at Mount Vernon, but before the year was over, Maryland realized that the cooperation of both Pennsylvania and Delaware was needed for ultimate success. Virginia went even further in January 1786, by inviting all the states to a convention at Annapolis in May "to take into consideration the trade of the United States," and "to examine the relative situations and trade of the said States." From the resulting suggestions and accord, Congress could then develop a more rigorous stand in its relations with Great Britain in particular.

The response to the Virginia invitation was by no means gratifying. Twelve commissioners attended from only five states: Delaware, New Jersey, New York, Pennsylvania, and Virginia. Four other states (Massachusetts, New Hampshire, North Carolina, and Rhode Island) appointed delegates, but various delays prevented their attendance, and the remaining states did not even bother to name delegates. The most conspicuous delinquent was Maryland, which had shown so much interest at Mount Vernon.

The Annapolis Convention opened on September 11, 1786, with the delegates generally empowered to deal with such issues as the improvement of American trade, the development of a uniform system of interstate commerce, and "regulations that might be necessary to their common interest and permanent harmony." Only the New Jersey commissioners were authorized to consider "other important matters" that "would enable the United States in Congress assembled, effectually to provide for the exigencies of the Union."

There was much discussion of the asserted weaknesses of the Articles of Confederation, but it was soon realized that the sparsely attended session could not speak for the states as a whole. Consequently, at the suggestion of Alexander Hamilton, a New York delegate, the New Jersey instructions were made the basis for a nationwide meeting to be held in Philadelphia on the second Monday in May 1787. This meeting would

take into consideration the situation of the United States, to devise such further provisions as shall appear to them necessary to render the constitution of the Federal Government adequate to the exigencies of the Union; and to report such an Act for that purpose to the United States in Congress assembled, as when agreed to, by them, and afterwards confirmed by the Legislatures of every State, will effectually provide for the same.

This proposal was sent both to Congress and to the governors of every state.

Congress received the Annapolis report with mixed feelings. Supporters of the existing Articles believed nothing should be done about it; advocates of a strengthened central government urged prompt endorsement. On October 11, 1786, a special committee was appointed to examine the proposal at greater length. Then followed four months of delay, for it was not until February 21,

1787, that Congress hesitatingly announced that a convention of the states was "expedient . . . for the sole purpose of revising the Articles of Confederation and reporting to Congress and the several legislatures such alterations and provisions therein."

The Philadelphia Convention. Even before Congress acted, five state legislatures (Delaware, New Jersey, North Carolina, Pennsylvania, and Virginia), anticipating the Congressional decision, had already named delegates. Connecticut, Georgia, Maryland, Massachusetts, New York, and South Carolina appointed their respective delegations before the scheduled Convention opening on May 14, 1787, but New Hampshire delayed until June, and Rhode Island refused to participate at all.

The meeting failed to start on time, however, for on the appointed date only the Pennsylvania and Virginia representatives were gathered in Philadelphia's State House, and not until eleven days later were the seven states necessary for a quorum in attendance. In all, some sixty-five delegates had been named, but only fifty-five took part. They ranged in age from twenty-six-year-old Jonathan Dayton of New Jersey to octogenarian Benjamin Franklin. Most of them were practical men with experience in colonial, state, or national government. More than half had college training; the legal profession was the vocation of a majority; merchants and planters formed most of the remainder. Individually, the best known were George Washington and Franklin; they did not participate actively in the debates nor initiate any proposals, but they were not to be outweighed in the influence and respect they commanded. Playing prominent roles in the ultimate decisions were James Madison, Edmund Randolph, and George Mason of Virginia, Alexander Hamilton of New York, Gouverneur Morris and James Wilson of Pennsylvania, Roger Sherman of Connecticut, Elbridge Gerry and Rufus King of Massachusetts, John Dickinson of Delaware, William Paterson of New Jersey, Hugh Williamson and William R. Davie of North Carolina, and Charles Cotesworth Pinckney of South Carolina.

Upon nomination by Robert Morris, the delegates unanimously elected Washington president, a most happy choice because of the Virginian's calm and competent leadership. The official secretary was William Jackson of South Carolina, whose minutes were not of the best. The credentials presented by the various delegations indicated that they had been instructed only to discuss and recommend revision of the Articles. The most specific injunction was that of the Delaware group: they must oppose any change in the method of representation in Congress. Next, the decision was reached to hold secret sessions; thus, any differences of opinion within would not result in outside turbulence or pressure that might destroy the effectiveness of the Convention.²

² Indeed, the official account of the Convention was not published until 1819. Two years later Robert Yates of New York, who withdrew in disgust before the meeting was over, made available his biased version in *The Secret Proceedings and Debates of the Federal Convention*. Other accounts were kept by Rufus King, James McHenry of Maryland, William Pierce of Georgia, William Paterson, Alexander Hamilton, and George

The Virginia Plan. On May 29 Edmund Randolph introduced the proposal that was not only to change the whole course of the Convention, but was to be the basis for the Constitution. He predicated the Virginia Plan with a long discourse on the weaknesses of the Articles of Confederation. He asserted that the United States under the Confederation was not sufficiently strong to prevent foreign invasion, because it could not raise an adequate army, or punish treaty infractions by the states, or prevent the states from getting into trouble, or raise sufficient funds. He showed how the central government could not prevent quarrels among the states or otherwise control their actions. Nor could it regulate foreign commerce and thus obtain important trade advantages from other nations. Moreover, the states were constantly encroaching on the authority of the central government, and the state constitutions carried more weight than the Articles.

Therefore, concluded Randolph, the Articles must be thoroughly revised and corrected in order to promote "the common defense, security of liberty and general welfare" of the nation. These objectives could be accomplished by strengthening the central government, which should be national rather than federal in character.

Under this Virginia Plan, largely the work of Madison, there would be a bicameral Congress. Members of the lower house would be elected by the qualified voters in each state, whose representation would be determined either by the amount it contributed or by the number of its free inhabitants; the upper house delegates were to be nominated by their respective state legislatures and elected by the lower house for longer terms. No one was eligible for immediate re-election. In contrast to the procedure under the Articles, each member of Congress was to have one vote.

Either house could originate bills and enact laws "in all cases to which the separate states are incompetent." Moreover, the Congress might declare invalid state laws deemed in conflict with the "articles of Union." If a state acted in a fashion contrary to the national welfare, it could be brought into line by national force.

The executive was to be elected by Congress, but for only one term. He could exercise the executive powers hitherto enjoyed by the Congress under the Articles. The national judiciary should consist of at least one supreme court, whose members were to be selected by Congress and to hold office during good behavior. Lower federal courts would have original jurisdiction in cases involving piracy and other crimes on the high seas, cases involving different states, cases concerning national income, and those in which national peace and harmony were at stake. The decisions could be appealed to the supreme court. The executive and a number of federal judges would make up a council of revision,

Mason. The most voluminous were those of James Madison, which give the best picture of what actually took place behind the closed Convention doors. Before the Virginian's account was published in 1840, however, he edited and amended his original notes. A compilation of the several versions has been made by Max Farrand in *The Records of the Federal Convention* (4 v. 1911-1937).

which could temporarily hold in abeyance national or state laws thought unwise.

Provision was made for amending the government established under this plan, and also for admitting new states, which were promised a republican form of government.

The Virginia Plan met with considerable opposition when the committee of the whole began to discuss it the next day. Generally speaking, the small states³ were against the basis of population or wealth for representation in the lower house because it would give such a preponderance of power to the larger states. Others opposed the wide departure from the Articles of Confederation; the Virginia Plan, they asserted, would not amend but completely change the existing system. Still another argument was based on the belief that the rights of the states would be ended. Yet, the proponents of the Randolph proposal won out when the committee resolved that the Articles did not provide the necessary security, and therefore, "it is the opinion of this committee that a national government ought to be established consisting of a supreme Legislative, Judiciary, and Executive."⁴ This was the first indication that the delegates were on their way to framing an entirely new instrument of government.

Then followed more than two weeks of debate on the various points in the Virginia Plan. All sorts of arguments were raised for and against each one. The most notable suggestion to reach an eventual compromise was made by Roger Sherman of Connecticut on June 13: "That the proportion of suffrage in the 1st branch should be according to the respective number of free inhabitants; and that in the second branch or Senate, each State should have one vote and no more."

The New Jersey Plan. The small states still did not favor the trend of events. Hence, on June 15 William Paterson of New Jersey proposed nine resolutions known as the New Jersey Plan. The Articles of Confederation should "be [so] revised, corrected, and enlarged as to render the federal Constitution adequate to the exigencies of Government, and the preservation of the Union." The unicameral Congress should be elected in virtually the same way as under the Articles, with each state delegation continuing to have but one vote. Its powers, however, were to be increased to include the right to raise revenue through duties on foreign imports, to regulate foreign and interstate commerce, and to requisition the states for money in proportion to their white population plus three fifths of their Negroes.

The executive should be plural, elected by Congress, and removable by Congress on the request of a majority of state executives. None of the executive members was eligible for re-election. In addition to the normal functions of

³ They were Connecticut, Delaware, Maryland, New Jersey, and New York. New Hampshire joined them when her delegation finally appeared.

⁴ The Delaware, Massachusetts, Pennsylvania, Virginia, and the two Carolina delegations voted for the resolution; New York was divided; New Jersey had no quorum and did not vote; only Connecticut was definitely opposed.

executing federal laws (the armed forces could be called upon for help), this branch could appoint all other federal officials not provided for otherwise, and "direct all military operations; provided that none of the persons composing the federal Executive shall on any occasion take command of any troops as General or other capacity." This last proposal showed the definite fear of a military dictatorship.

The federal judiciary, a supreme tribunal, would have its judges named by the executive during good behavior. It would have original jurisdiction in impeachment cases involving federal officials and be the final court of appeal in "all cases touching captures from enemy, piracies, and felonies on the high seas, in all cases involving foreigners, in construction of any treaties, or acts of trade or federal revenue." The judiciary must respect all laws of Congress and all treaties, which were to be the supreme law of the land.

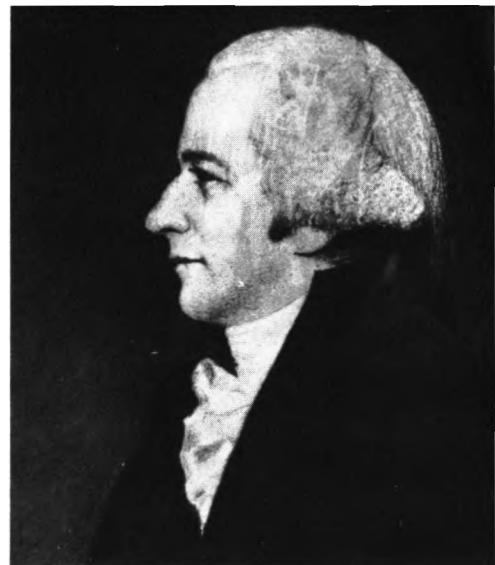
The New Jersey Plan likewise provided for the admission of new states, for uniformity of naturalization laws, and that "citizens of one state committing offence in another state shall be deemed guilty of same offence as if it had been committed by a citizen of the state in which the offence was committed."

The next day James Wilson of Pennsylvania gave a lucid summary of the major differences between the two plans. The Virginia proposal would establish a two-house legislature, with authority derived from the people; the New Jersey, a one-house legislature dependent on the states. The Virginia Plan's legislature would have the number of its members determined by state population or wealth; the other, by state equality. The Virginia Plan would allow a majority of the legislators to control and to consider all national matters; under the New Jersey Plan, a minority would hold the upper hand, but could act only on limited problems. Moreover, under Randolph's proposal, all state laws could be negated by the national legislature; Paterson's plan gave the national executive authority to compel state obedience by force. The Virginia Plan contemplated a single executive, who could be impeached; the New Jersey, a plural executive, removable at the will of a majority of the states. As to a judiciary, under the Virginia Plan there would be a number of inferior national courts; under the New Jersey, none.

The Hamilton Plan. Alexander Hamilton believed there were weaknesses in both plans. Therefore, on June 18 he proposed one of his own, which would have established a strong national government. The supreme legislative authority would be vested in a bicameral Congress. The lower house, to be called the Assembly, was to be elected triennially by the people; the upper house, or Senate, was to be selected by electors chosen by the people in special election districts, to hold office during good behavior. Naturally, the Senate would be much stronger than the Assembly; among other things, it would have the sole power to declare war.

The supreme executive, to be called a governor, was to be indirectly chosen by state electors selected by the people or by the state legislatures. The governor's tenure would be during good behavior, and his authority great. He would

Alexander Hamilton. (Pastel by Felix T. Sharples, Courtesy of The New-York Historical Society, New York City)



have the veto power, was to be commander-in-chief of the armed forces, could make treaties with Senate approval, could name department heads, could nominate other federal officials subject to Senate approval, and could pardon all offenses except that of treason, in which case pardon required Senate acquiescence.

Twelve judges, serving during good behavior, were to act as the supreme federal judiciary. They would have original jurisdiction in all cases involving captures, and appellate authority from state courts in cases concerning foreign citizens and general revenue. Congress could establish state tribunals to deal with matters concerning the federal government.

Impeachment of the governor, senators, and other federal officials was possible. Trial of defendants was to be held in a court comprising the supreme court justices and the chief judge of each state supreme court. If convicted, the official would be removed from office and further disqualified.

Finally, all state laws contrary to the Constitution would be void. The various state governors would have the power to negate such laws. In addition, no state was to have land or naval forces, and state militias were to be under the jurisdiction of the United States.

The Hamilton proposition went too far even for the advocates of a stronger central government, and thus was given no consideration. Therefore, on June 19 the issue before the committee was whether to go on with the Virginia Plan or to substitute consideration of the New Jersey Plan. After long debate the vote was seven to three in favor of the Virginia Plan.⁵ Thus, the Convention was definitely putting itself on record in support of a much stronger government than the Confederation Congress had envisioned when it issued the call for the Philadelphia gathering. And behind this decision, the delegates had con-

⁵ The delegations from Connecticut, the Carolinas, Georgia, Massachusetts, Pennsylvania, and Virginia voted in favor of the Virginia Plan; Delaware, New Jersey, and New York were opposed; Maryland was divided; the New Hampshire delegation had not as yet appeared.

cluded that it would be easier to build entirely anew than to remodel the Articles.

Compromises of the Convention. Even though the Convention had approved working toward a much stronger government, the delegates were by no means in original accord as to the specific means. Most of July and August was spent in ironing out the different proposals. The resulting compromises made the completed Constitution possible, for the different factions, in order to reach the desired goal, were always ready to retreat somewhat from their initial demands to provide a solution.

The first important controversy arose over the composition of Congress. Thanks to the Sherman motion of June 13, there was a foundation on which to work. By July 12 the first phase of the Federal or Great Compromise was approved. This stated that the basis for representation in the lower house was to be a state's white population plus three fifths of its Negroes—this latter provision an additional compromise between the North, which wanted to exclude all Negroes from the count, and the South, which wanted to include them. Four days later the delegates agreed that each state should elect two senators to the upper house; in other words, its composition was to be based on state equality.

With this important agreement reached, the delegates then approved twenty-three "fundamental resolutions" by July 26, which formed the basis for the Constitution. A special Committee on Detail was authorized to formalize these resolutions, which was done early in August. Next, the delegates debated the several parts of the committee draft before reaching additional compromises.

The most difficult of solution involved the presidency. Some felt that a single executive would be little different from a king, especially if his term was long. Others were opposed to his direct election by the people, who were still not qualified, they said, to make such a momentous decision, and, moreover, the large states would have the advantage. Others were against his selection by Congress; such a mode would destroy the desired separation of powers. In face of these and other arguments, a compromise was reached whereby a single executive would be elected for a four-year term by electors in each state appointed "as the Legislature thereof may direct . . . equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress."

Another major compromise dealt with commerce. The Northern states wanted to give Congress complete jurisdiction over all interstate and foreign commerce in order to end the troubles of the Confederation period. The South was fearful lest such authority be used to destroy the slave trade. The problem was solved by granting Congress the right "to regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes," but "the Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight." Congress, however, might tax imported Negroes at not more than ten dollars a head.

The last of the major settlements resulted from differences over direct taxa-

tion. The wealthier Northern states desired such levies to be made on the basis of population; new communities, when admitted into the Union, would thereby contribute their proportional share to the government. The Southern states, somewhat poorer, wanted direct taxes apportioned according to wealth; in addition, they believed the Northern proposal was unjust because they had so many Negroes, none of whom they wanted to count in their population figures for taxation. The reply from the North was that they were allowed to count three fifths of the Negroes for representation purposes; would it not be just as fair to count them for taxing? From these divergent points of view came the decision that "Representatives and direct Taxes shall be apportioned among the several States . . . according to their respective Numbers, which shall be determined by adding to the whole number of free Persons . . . three fifths of all other Persons."

In addition to these major compromises, there were others. Indeed, it has been said that the Constitution is "a bundle of compromises." There was a definite separation of powers among the three branches of the national government, along with a system of checks and balances. For example, the President had the veto power over measures of Congress, but Congress, by a two-thirds vote of each House, might override that veto. And whereas the judicial branch might declare statutes unconstitutional, the President, through his appointing power, and Congress, through its authority to change the number of judges, could indirectly change the Supreme Court's mind.

The Constitution also gave the central government many powers it had lacked under the Articles, such as the sole right to coin money and the power to tax. This increased authority was gained as the expense of the states, which had previously enjoyed these rights.

On September 9 a Committee on Style and Arrangement was appointed, with William Johnson of Connecticut as chairman and Hamilton, Rufus King, Madison, and Gouverneur Morris as the other members. Morris did most of the writing of the final draft, which, after a few minor changes, was approved by each state delegation on September 17. Of the forty-two members still present, only three refused to sign the completed document: Ebridge Gerry of Massachusetts, whose many reasons were not too clear, and Randolph and Mason of Virginia, primarily because of the absence of a bill of rights. All three also believed that the Constitution should be sent to the states for further study, and when they had made their suggested changes, a second convention should consider them before final action was taken.

On September 20, the Constitution was sent to the Confederation Congress. During the following week several attempts were made to censure the Convention for having exceeded its instructions. The new document, however, was so much in line with what the majority desired that on September 28 Congress voted to submit the Constitution to special state conventions for consideration, in accordance with Article VII of the new frame: "The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same."

The Struggle over Ratification. As soon as the American people learned about the new Constitution, they divided in opinion concerning its merits. At the outset, its proponents were confident of prompt ratification because of the apparently widespread support expressed orally and in the press. Time seemed to favor the opponents, however, and as the first enthusiasm wore off, it was realized that a vigorous battle was in prospect.

Advocates of ratification, headed by such men as Washington, Hamilton, and Madison, became known as Federalists, and found support among the merchants and businessmen, lawyers and land speculators, and many Southern planters. Broadly speaking, it might be said that the wealthy and educated favored prompt ratification. They based their support on a number of arguments. One of the most important was that only a highly centralized government could provide the necessary strength to preserve the United States from the petty internal bickerings of partisan interests and sectional demands. Only such a government could win respect abroad, and at home only this type of administration could safeguard the rights of the people, for the government was responsible to the people. Though even the most rabid supporters admitted the new document had some weaknesses, it was certainly better than the Articles of Confederation.

But the opponents, known as Anti-Federalists, also had their persuasive arguments. They asserted that the United States was too large to be administered by one central government. If that government had the necessary strength, it would be too dictatorial. The Anti-Federalists tried to point out that the smaller states would be dominated by their larger neighbors, or, if not, would be powerless. They argued that the people would have a greater voice if the states were sovereign. Some opponents likened the President to a king; were that the case, then the Revolution would have been fought in vain. Others made a similar comparison between Congress and Parliament. Debtors predicted the sound money that would come into being would hurt them severely. And a most telling argument was that the Constitution contained no bill of rights. Prominent among the Anti-Federalists leaders were original Revolutionary firebrands like Patrick Henry, Richard Henry Lee, and Samuel Adams. Their arguments found most effective appeal among artisans and small farmers, debtors and frontiersmen.

Both factions resorted to facile pens to propagandize their respective causes, and the press was filled with articles pro and con. Broadsides and pamphlets literally flooded the country with attacks and counterattacks. Although these were based primarily on sound arguments, they frequently did not hesitate to indulge in bitter invective and "mudslinging." For example, the Federalists were charged with supporting the Constitution because, as bondholders, they wanted to profit from the increased value of their securities. In contrary fashion, the Anti-Federalists were painted as men who wished to avoid paying their honest obligations. Or again, the Federalists were depicted as advocates of an aristocracy, the Anti-Federalists as favoring mob rule.

Samuel Adams was one of the leading literary critics of the Constitution as it then stood. On December 3, 1787, he wrote:

I confess as I enter the building, I stumble at the threshold. I meet with a national government, instead of a federal union of sovereign states. . . . If the several states in the union are to become one entire nation, under one legislature, the powers of which shall extend to every subject of legislation, and its laws be supreme and control the whole, the idea of sovereignty in these states must be lost.

Nor did he believe that a national government could competently legislate for a widely scattered people. "Discontent, mistrust, disaffection to the government and frequent insurrections" would result as sectional jealousies and claims of partiality developed. "Distinct sovereign states," on the other hand, would suppress the growth or aristocracy, prevent the many from being enslaved by the few, and strengthen the United States. Above all, Adams insisted on the necessity of a bill of rights.

Richard Henry Lee, who had introduced the resolution for independence back in June 1776, was also very critical of the Constitution. In October, 1787, he wrote "Letters from the Federalist Farmer to the Republican," perhaps the ablest and most effective attack. Among his comments were:

Our object has been all along to reform our federal system, and to strengthen our government . . . but a new object now presents. The plan of government now proposed is evidently calculated totally to change, in time, our condition as a people.

Although admitting that the Articles of Confederation had several weaknesses and that the Constitution contained many improvements, Lee still felt that the Federalists were trying to push through radical changes that did not adequately define the powers of the national government or properly guard popular liberties with a bill of rights. Were these safeguards not originally included, their later insertion might prove far from easy to attain:

When power is once transferred from the many to the few, all changes become extremely difficult; the government, in this case, being beneficial to the few, they will be exceedingly artful and adroit in preventing any measures which may lead to change; and nothing will produce it, but great exertions and severe struggles on the part of the common people.

Two New York delegates, Robert Yates and John Lansing, who had left the Convention in disgust before the Constitution was completed, reported to their sympathetic governor, George Clinton, in 1787 that they had two major reasons for their opposition. The first was that the Convention had exceeded its well-defined and limited instructions to amend the Articles; the second, that the proposed national government would interfere with the rights of the states.

Back in Virginia, Patrick Henry, long considered a radical, openly demanded:

What right had they to say, *we, the people?* My political curiosity, exclusive of my anxious solicitude for the public welfare, leads me to ask, who authorized them to

speak the language of, *we, the people*, instead of *we, the states?* States are the characteristics and the soul of a confederation. If the states be not the agents of the compact, it must be one great, consolidated, national government of the people of all the states.

Articles in numerous newspapers likewise showed popular opposition. The *Massachusetts Centinel* of August 27, 1787, asserted that the nation was in excellent economic condition, not on the verge of chaos, as the Federalists insisted when demanding a change. And three months later that same publication printed a letter from an army officer listing twenty-three defects of the Constitution. Among these were that it extended to the lives, liberties, and property of every citizen, that there was no bill of rights, that the sovereignty of the states would be destroyed "by violent struggle or by silent encroachments," that there was actually no separation of powers, and that the proposed new government would be too expensive. The *New York Journal and Weekly Register* of November 8, 1787, thought that the makers of the Constitution posed as perfect, thereby assuming they had established a perfect government. The paper refused to admit that the country was in imminent danger "of anarchy and commotions." That argument, it said, was the one to which "tyrants" always resorted.

These and many other attacks did not go unanswered, for the Federalists were not without their competent penmen, and among the ablest were Alexander Hamilton, James Madison, John Jay, and James Iredell, the latter from North Carolina. The most notable exposition of the Federalist position was to be found in a series of public letters, initiated by Hamilton in the *New York Independent Journal* on October 27, 1787, to sway the hesitant state of New York. Gradually, he prevailed upon both Madison and Jay to cooperate with him in this venture, and by the following April some seventy-seven of these letters, all signed "Publius," had appeared in various newspapers in New York City and elsewhere. So widespread was the reading public that they were published, along with eight additional letters, as *The Federalist* in the spring of 1788. Hamilton contributed fifty-one numbers, Madison, twenty-nine, and Jay, five. *The Federalist* was a skillful and persuasive effort, remarkably free from invective, to show the weaknesses of the Articles of Confederation, the importance of a strong executive for unity, longevity, and competency, the value of an independent judicial system, and the need to control and subdue factions that "may kindle a flame" that could destroy the nation. An excerpt will indicate the position *The Federalist* took on separation of powers:

In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people. . . .

This series of arguments won praise even from those who were not favorably disposed to the original Constitution. Jefferson, for instance, called *The Federalist* "the best commentary on the principles of government ever written."

Regardless of the merits of the respective arguments advanced by both sides, the Federalists had a definite advantage. They were more united and better organized, and through experience, they knew all the tricks of the political trade. Then, too, they controlled the principal positions in most of the states; moreover, with the franchise limited, they had influence all out of proportion to their numbers in the selection of the delegates to the ratifying conventions.

Had there been complete manhood suffrage in 1788, and had the Constitution been submitted as a referendum to the whole electorate, the document probably would have been defeated, because Anti-Federalists undoubtedly outnumbered the supporters. But the Anti-Federalists were widely scattered, they had little in the way of cohesive strength, and they were poorly organized. There was no single issue that could bind them in their opposition.

Ratification Succeeds. While this war of words was being waged, the states, through special conventions, were already taking formal action on the Constitution. Delaware was the first to make its decision. On December 7, 1787, its convention unanimously endorsed the Constitution. This action reflected the general views of the smaller states, which now felt that they would have greater influence and freedom from large state domination than under the Articles.

Pennsylvania was the first large state to fall into line, although only after much local discussion. Generally speaking, those from Philadelphia and other large towns with important commercial interests favored the change, whereas the farming and frontier sections were opposed. The convention was dominated by the former, who were able to thwart their opponents' delaying tactics—usually taking the form of proposed amendments. Thus, on December 12, by a vote of forty-six to twenty-three, Pennsylvania ratified.

Three small states were the next to approve—New Jersey and Georgia unanimously in December, and Connecticut, by the one-sided vote of 128 to 40, early in January 1788. In the same month the Massachusetts convention held its first session. Observers anticipated defeat for the Constitution because the opponents, headed by Samuel Adams, apparently outnumbered supporters by 192 to 144. The Federalists, however, showed their political wisdom, first by promising to support the hitherto reluctant John Hancock in his quest for the governorship, and then by announcing their approval of a number of amendments to protect the rights of Massachusetts. This latter stand brought to their side Adams and enough of his adherents to win the day for ratification by the close vote of 187 to 168 on February 7. At the same time, the convention suggested, but did not insist upon, nine amendments, of which the most significant urged that the powers not expressly delegated to the national government be reserved to the states.

Although Rhode Island had not seen fit to be represented at Philadelphia,

within the state there were strong supporters of the Constitution among lawyers, doctors, and shippers. But their attempts to have a ratifying convention called by the legislature were thwarted by representatives from the rural communities, who countered successfully with a proposal to submit the question to the voters. The Federalists termed this step illegal and refused to participate in the referendum of March 24. Thus, out of some six thousand qualified Rhode Islanders, fewer than half took part; the result was 2,708 votes against the Constitution and only 237 in favor. Rhode Island was the only state to attempt a popular referendum and to definitely reject the new plan as a result.

Maryland, however, turned the tide again by ratifying with little difficulty on April 28, by a vote of sixty-three to eleven. In the South Carolina legislature, on the other hand, the two factions were almost equally divided; indeed, the resolution to elect a convention was passed with only one vote to spare. Nevertheless, sentiment for the Constitution in the resulting convention was much stronger, and on May 23 ratification was achieved by 149 to 73.

Approval by eight states helped to change the mind of New Hampshire, which had been unable to reach a decision when its convention originally met in February, and therefore had adjourned. Reconvening in June, it wanted to have the honor of becoming the ninth state, thereby putting the Constitution into effect. It must hurry, however, as the Virginia convention was already debating the issue. Consequently, the Federalist members were able to overcome the original majority against them and win approval by a vote of fifty-seven to forty-seven on June 21. Twelve proposed amendments also played a noteworthy part in the Federalist victory.

But the Constitution would not be truly effective if the remaining states, particularly Virginia and New York, did not fall into line. Therefore, the struggle in their conventions was watched with special interest. The Virginia meeting was in session when New Hampshire approved, but was having difficulty. Patrick Henry continued to voice his opposition to the statement in the preamble about "we, the people," and his eloquent emotionalism was apparently swaying the back country delegates to his side. The sounder George Mason continued to object to the absence of a bill of rights, and warned that if the omission were not corrected, the government "will commence in a moderate aristocracy" and might "produce a monarchy." But Madison, Washington, and John Marshall presented such cogent reasons for a change that the convention was won over to ratification on June 25 by a vote of eighty-nine to seventy-nine. A proposed bill of rights and some twenty suggested changes in the original document also helped to produce this result.

About a week before Virginia's affirmative action, the New York convention opened. Governor George Clinton led the opposition of the landed interests to the new proposal, aided in no small part by the "states-rights" arguments of Yates and Lansing, and seemed to have victory in his grasp. Fortunately for the Federalists, they had Alexander Hamilton and John Jay on their side. Instead of pressing for an immediate vote, Hamilton fought for delay, which enabled the delegates to learn about ratification by both New Hampshire and Virginia.



Wall Street and Federal Hall, New York City. (Watercolor by Archibald Robertson, Courtesy of The New-York Historical Society, New York City)

Hamilton then pointed out the difficult position in which New York would be placed if it did not join the others. This was a more telling argument than the local ones stressed by Clinton and his upstaters. The first sign of a change of heart came on July 25, when the delegates turned down a conditional ratification, and the next day New York joined the other ten states by the close margin of thirty to twenty-seven.

By the time the North Carolina convention met in July 1788, it was known that the ninth state had ratified and that the Constitution would go into effect. Yet, the Anti-Federalists, headed by Willie Jones, were overwhelmingly in the majority and opposed approval of the new document as it then stood. They based their arguments on the fact that the national government would be so strong that the rights of the state and its local government would be endangered, and, what was more important, so would be the liberties of the people. After listening to long but unconvincing harangues by James Iredell and William R. Davie, in particular, on the Federalist side, the opposition carried by 184 to 84 a motion neither ratifying nor rejecting the Constitution, but recommending that a bill of rights containing twenty parts be added to the Constitution to protect "from encroachment the great Principles of civil and religious Liberty, and the unalienable rights of the People." In addition, twenty-six amendments were proposed.

Yet, North Carolina gradually changed her mind, aided by vigorous Federalist propaganda, the high respect for George Washington, the return of national prosperity, the effective legislation passed by the new government, its friendly economic attitude toward the state, North Carolina's need for protection, and the favorable Congressional action toward a bill of rights. Thus on

November 21, 1789, a second convention approved ratification by a vote of 195 to 77.

Rhode Island alone remained aloof. But she was soon subjected to so many threats of boycott and reprisal that she finally provided for a convention in January 1790. Even then there were so many "otherwise minded" that affirmative action was not obtained until the following May 29, and only by the closest of votes: thirty-four to thirty-two.

Conclusion. The Constitutional Convention, meeting 180 years after the establishment of the first permanent English settlement at Jamestown, was the culmination of a long struggle for self-government that had been going on almost from the beginning of colonization. The framing of the Constitution, however, was but the initial step in the development of the new type of government. It remained for the first President, George Washington, and his successors, over a similar span of 190 years, to show that the Constitution-makers, through their wise actions at Philadelphia, had done excellent work in formulating the basic principles on which a strong republic could be constructed.

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INDEX

A

- Abenaki Indians, 221, 223, 441
Abercromby, Gen. James, 455
Abolition movement, 387, 404, 641
Academies, 406–08, 647
Acadia (Nova Scotia), 220–21, 223–24, 226, 441, 446, 452
Adams, John, 264, 286, 343, 415, 518, 519, 521, 529, 534, 535, 536, 552, 558, 561, 564, 569, 570, 573, 576, 586, 591, 632, 647, 667
Adams, Samuel, 495, 514, 518, 519, 521, 522, 524, 528, 529, 534, 544, 545, 549, 554, 692, 693
Administration of Justice Act (1774), 530–31
Administrative Agencies, English, 236–38
Admiralty Board, 237
Admiralty Courts, 491–92, 494–95
Adopting Act (1729), 398
Adventurers, 42, 73–74
Advertising the Colonies, 67, 265
Agent, Colonial, importance of, 146, 188, 207, 247
Agent, emigrant, 314
Agriculture, 12, 33, 55, 60, 67–68, 95, 106, 124–25, 172, 194, 196, 269, 276, 312, 322–43; in New England, 324–36; in Middle Colonies, 336–37; in South, 337–39
Aix-la-Chapelle, Treaty of (1748), 446
Alamance, battle of (1771), 488
Albany, N.Y., 163–65, 175–80, 214, 221, 253–54, 354, 363, 446, 447, 450–51
Albany, Treaty of (1684), 179–80
Albany Conference (1690), 221
Albany Congress (1754), 450–51
Albany Convention (1690), 214
Albany Plan of Union (1754), 450–51
Albemarle, Duke of, 149
Albemarle County, N.C., founded, 151–54; problems of, 155; government of, 156–57; geographic problems, 149–50, 156
Alcoholic beverages, 294, 367
Alden, John, in Plymouth, 74
Alexander VI, Pope, 5
Alexandria Conference (1785), 683
Algiers, 668
Algonquin Indians, 15–16, 165, 220
Allen, Ethan, 558, 589, 674
Allerton, Isaac, 77
Alliance, Treaty of (1778), with France, 626–27
Almanacs, 419–20
Almshouses, 306
Alsop, George, of Maryland, 68
Amadas, Philip, explorer, 30–31
Amazon Company (1620), 115
America, first use of word, 24
American Academy of Arts and Sciences (Boston), 647
American Husbandry, quoted, 338
American Philosophical Society, 647
Americanism, growth of, 464–66, 488–89
Amherst, Gen. Jeffrey, 454, 455, 473
Amusements, 296–300, 367–68
André, Major John, 611
Andros, Sir Edmund, 178–79, 184, 209–12, 221, 329
Anglican Church, 38, 53, 64–65, 70–71, 83, 85–86, 130, 157, 182, 202, 208, 210–11, 213, 217–18, 237–38, 305, 330, 391–93, 402, 404, 409, 412, 437, 466–68, 643
Anglo-Dutch Commercial Rivalry, 134–35, 141–43, 163–66, 175–78
Anglo-Dutch Ears, 135–36, 170, 175–78
Anglo-French Rivalry, 162, 215, 219–226, 441–42, 444–58
Anglo-Spanish Rivalry, 22, 26–28, 114, 136–37, 175, 263, 442–44

- Animal husbandry, 340-41
 Annapolis, Md., 133, 255, 416, 439, 684
 Annapolis Convention (1786), 684-85
 Annapolis Royal, 224
 Anne, Queen of England, 219, 223, 226, 229, 232, 267
 Anne Arundel, Md., 64, 133
 Anson, Capt. George, 444
 Anti-Federalists, 692-98
 Antinomianism, 99-100, 106, 109
 Antirent riots, 330
 Antislavery movement, 387, 404, 640-42
 Apollo Room, Raleigh Tavern, 368, 547-48
 Apothecary shops, 426-27
 Appalachian Mountains, 12, 16, 222, 476, 482
 Appeals from colonial courts, 54, 146, 188
 Apprentices, 34, 311, 316
 Apprentices, Statute of (1563), 34
 Aranjuez, Convention of (1779), 628
 Archdale, John, Carolina proprietor, 157
 Architecture, home, 192, 283-87
 Argall, Samuel, explorer, 46
 Armada, Spanish, 25, 114, 442
 Armed Neutrality, in Revolution, 628
 Army, British, in Revolution, size, 583; equipment, 584; pay, 584; mercenaries, 585; problems, 585
 Army, Continental, in Revolution, size, 577-79; desertions, 579; equipment, 580-81; mutinies, 581-82; medical care, 582-83; administration, 583; demobilization of, 621; casualties, 622
 Arnold, Benedict, 546, 578, 587, 589, 591, 616; treason of, 611-12
 Articles of Confederation, background of, 653-54; provisions of, 654-56; opposition to, 656-57; proposals to amend, 682-85
 Artisans, 34, 60, 62, 172, 194, 272, 280, 310-11
 Asbury, Rev. Francis, 315-16, 357, 400, 645
 Ashley-Cooper, Anthony (Earl of Shaftesbury), 149, 151, 201, 259
 Asiento, and slave trade, 226, 265, 318, 442-44
 Assembly, Colonial, powers of, 46, 48, 241-42
 Association of Tradesmen and Manufacturers (Boston, 1785), 673
 Aston, Anthony, actor, 437
 Atkin, Edmund, Indian commissioner, 471
 Augsburg, League of, 219
 Augusta, Ga., capture of, 613
 Augusta, Treaty of (1784), 661
 Augusta Conference (1763), 472-74
 Austrian Succession, War of, 444-46
 Avalon colony, 57-58
 Azilia, projected colony, 257-58
 Azores, islands, 3, 300
- B**
- Bachelors, attitude toward, 301
 Back country, settled, 255-56
 Bacon, Nathaniel, 197-201, 245, 286
 Bacon's Rebellion, 197-201
 Bahamas, 158
 Balboa, Vasco de, explorer, 5
 Ballots, written, 95, 105
 Baltimore, Lord, 55, 132, 187, 191, 207, 215, 259
 Baltimore, town, 255, 268, 645, 673
 Banister, John, scientist, 431
 Bank of England, 33, 219, 260
 Bank of North America, 638
 Banks, Land, 384-85
 Baptists, 171, 244, 398, 399, 402, 404, 412, 643
 Bar Association, 424
 Bar examinations, 424
 Barbados, 84, 113-14, 116-19, 127, 149, 153-54, 157-58, 161
 Barbary Pirates, 668
 Barlowe, Arthur, colonizer, 13, 30-31
 Barnwell, John, 257-58
 Barré, Isaac, 498, 501
 Barry, Capt. John, 620
 Bartram, John, botanist, 343, 432
 Bartram, William, ornithologist, 432
Bay Psalm Book, 386, 421
 Bayard, Nicholas, 213-14
Bayard v. Singleton (1787), 652
 Baynton, Wharton, and Morgan, 480
 Beasts, problems of, 15; *See also* Vermin
 Beaubassin, 447
 Beaumarchais, Caron de, 624, 625
 Beauséjour, 447, 452
 Beaver skins, 233
 Belcher, Gov. Jonathan, 242, 383
 Bellmont, Earl of, 172
 Bemis Heights, battle of, 600-601
 Benefit of clergy, 308, 381, 519, 642
 Benevolent societies, 311

- Bennett, Richard, 130, 133
Bennington, battle of, 600
Berkeley, Lord John, 149, 183
Berkeley, Gov. Sir William, 112, 130, 132, 146, 149, 154, 196–201, 338
Bermuda, 43, 44, 113, 123–25
Bernard, Gov. Francis, 501, 508, 515
Best sellers, 421
Bible Commonwealth, 90, 96–97, 106
Bicameral legislature, 53, 63, 87, 89–90, 95, 241
Bienville, Celéron de, 447
Bill of Rights, English, 217, 227; in state constitutions, 552–53, 640, 644, 668; proposed Federal, 692, 695–97
Billings, William, musician, 436
Billopp House Conference (1776), 576
Bills of Exchange, 381
Birth rate, 264
Bishop of London, 237–38, 392, 645
Blackstone, commentaries, 424
Blair, James, 392, 411
Blakiston, Nehemiah, 215–16
Bland, Edward, explorer and author, 148–49
Bland, John, London merchant, 143
Blank patents, 328
Block, Adriaen, explorer, 102, 163–64
Bloody Marsh, battle of, 443
Bloody Ridge, battle of, 474
Blue Laws, 311, 387
Board of Trade, 230–34, 238–39, 240–43, 247, 258, 320, 451, 459, 470, 471, 494, 498
Board of War, Continental, 583, 604
Body of Liberties (1641), 94–95, 359
Boltzius, Johann Martin, 262
Bonhomme Richard, 620
Bonnet, Stede, pirate, 374
Bonvouloir, Archard de, 624
Boone, Daniel, 483
Boroughs, English, 51, 228; units of colonial government, 249
Boscawen, Adm. Edward, 452, 455
Boston, 85, 97, 106, 109–10, 177, 251–52, 282, 320, 342, 348, 363, 369, 371, 388, 406, 408, 415, 416, 434, 435, 468–69, 485, 503, 512, 517–19, 527–29, 532, 592–93, 643, 651, 673
Boston Massacre (1770), 518–19
Boston Port Act (1774), 529–30
Botanical garden, 343
Botetourt, Gov. Lord, 516
Boudinot, Elias, 564
Bounties, 23, 140, 233, 331, 339–40, 358
Bouquet, Henry, 471, 474
Bouweries, 166, 172
Bowdoin, James, 432, 647, 672
Braddock, General Edward, 363, 451, 452, 471, 482
Bradford, Gov. William, 72–76, 78, 97
Bradford, William, printer, 416
Bradstreet, Mrs. Anne, poet, 421
Branding of criminals, 308
Brandywine, battle of, 601
Brant, Joseph, 600, 607, 608
Bray, Thomas, 258, 392, 394
Breda, Treaty of (1667), 221
Breed's Hill, battle of, 589–90
Brent, Giles, 62–63
Brent, Margaret, 245
Brereton, John, explorer, 36
Brewster, William, 72–73, 77
Breymann, Col. Francis, 600
Brickmaking, 46, 457
Brickell, Dr. John, 298
Bridges, 362, 363
Brodhead, Col. Daniel, 608
Brooke, Lord, 120
Brooklyn, battle of, 593–94
Broughton, Capt. Nicholson, 586
Brown College, 411, 412
Brunswick, N.C., 443
Bubble Act (1720), 385
Buccaneers, 121
Bull, William, 261
Bull-Baiting, 298
Bundling, 302
Bunker Hill, battle of, 589–90
Burgesses, House of, 47, 53, 130, 132, 198
Burgoyne, Gen. John, 585, 589, 597–601, 626
Burke, Edmund, 247, 424, 498, 509, 541, 543, 544, 557
Burnet, Gov. William, 242, 383
Burrington, Gov. George, 241
Bushnell, David, inventor, 433
Bushy Run, battle of, 474
Bute, Lord, 463
Butler, John, 607
Butler, Walter, 607
Byllynge, Edward, 184
Byrd, William I, 355; II, 18, 20, 292, 301, 350, 422, 431

C

- Cabinet, English, development of, 227, 236-37
 Cabot, John, explorer, 22-23, 163
 Cabral, Pedro, explorer, 5
 Cacique, 153
 Cadwalader, Col. John, 604
 Cahokia, 222, 610
 Calvert, Gov. Benedict, 216
 Calvert, Cecilius, 58, 60, 62-66
 Calvert, George, 36, 57-59
 Calvert, Leonard, 61, 132
 Calvin, John, and Calvinism, 90
 Cambridge, Mass., founded, 85
 Cambridge Agreement (1629), 84-85
 Cambridge Platform (1648), 394
 Camden, S.C., battle of, 614
 Camden-Yorke Opinion, 480
 Campbell, Col. Archibald, 613
 Campbell, John, printer, 416
 Canada, 102, 214, 221, 251, 456-58, 459, 531, 539, 590-91, 651, 675
 Candlemaking, 359
 Cannibalism, 43
 Cape Ann settlement, 81
 Cape Breton Island, 22, 226, 441, 446
 Cape Cod, 74-75, 80, 107
 Cape Fear River, 149, 255, 273
 Cape-merchant, 38, 41
 Capital crimes, 44, 65-66, 307, 642
 Card games, 298
 Caribbean Colonies, 28, 32, 113-16, 203, 226
 Carillon, Fort, 455, 456
 Cariola, 117
 Carleton, Sir Guy, 561, 590, 591, 597, 619, 675
 Carlisle Commission, 630-32
 Carlisle patent, 117
 Carolina, 9, 59, 113, 118, 138, 146-60, 164, 207, 216, 254-55, 267, 277, 330
 Carpenters, 311; *See also* Artisans
 Carpenter's Hall, Phila., 535
 Carroll, Charles, 275
 Carroll, Father John, 571, 645
 Cartagena, expedition against, 31, 121, 444
 Carter, Landon, 343, 353
 Carteret, Sir George, 183-84, 186
 Cartier, Jacques, explorer, 8
 Carver, John, 73-74, 78
 Casco Bay, 108
 Castle William, 518, 528
 Caswell, Richard, 567, 597
 Catesby, Mark, scientist, 431-32
 Catherine of Aragon, 23, 26
 Catholic Church, 26, 58, 60-61, 69, 70, 179, 196, 211, 213, 215-17, 219-20, 226, 228, 244-45, 259, 262, 266, 267, 269, 400-401, 404, 437, 645
 Cato slave conspiracy, S.C., 321
 Cattle, 51, 103, 125, 186, 194, 340-41
 Caucus, political, 243, 522
 Cavaliers, 127, 131
 Chaises, 364
 Chambers of Commerce, 281
 Champlain, Samuel de, 9, 165
 Charles I, of England, 52, 54-55, 58, 83, 85-86, 127, 130, 132-33, 148
 Charles II, of England, 86, 101, 105, 107, 114, 116, 122-23, 130, 137-39, 141, 148-50, 177, 179, 182-83, 187, 196, 200, 202, 207, 218-19, 223, 229, 355, 363, 371, 401, 416, 422, 425, 434, 435, 436, 437, 438, 440, 485, 496, 528, 597, 614, 619, 643
 Charleston, S.C., 86, 101, 105, 107, 114, 116, 122-23, 130, 137-39, 141, 148-50, 177, 179, 182-83, 187, 196, 200, 202, 207, 218-19, 223, 229, 355, 363, 371, 401, 416, 422, 425, 434, 435, 436, 437, 438, 440, 485, 496, 528, 597, 614, 619, 643
 Charter of Liberties and Privileges (N.Y., 1683), 179
 Charter of Privileges and Exemptions (N.Y., 1629), 171
 Charter of Privileges of Pennsylvania (1701), 190
 Charters, Colonial, 30, 36, 58-60, 82, 85, 101, 105, 111, 146, 150, 187-88, 203, 207, 208, 212, 216, 229, 242, 258, 324
 Chase, Samuel, 539, 683
 Chatham, Lord, *See* Pitt, William
 Chemung, battle of, 608
 Cherokee, 16, 449, 478, 608, 659
 Cherry Valley, massacre at, 607
 Chesapeake Bay, and region, 32, 36, 39, 41, 55, 58, 126, 601, 618-19
 Child, Josiah, mercantilist writer, 204
 Child, Rev. Robert, 97
 Chimney cleaning, 281
 Choice pitch, explained, 326
 Christina, Fort, 174, 175
 Christmas celebration, 75, 296
 Church, Col. Benjamin, 223-24
 Church-Covenant Idea, 91-92, 394
 Church of England, *See* Anglican Church

- Churches, 38, 47, 91, 103, 248, 386-400, 404
Cincinnati, Society of, 600
Circular Letter of Massachusetts (1768), 514-15
Civil rights, 322
Civil War in England, 66, 68, 130
Claiborne, William, 58, 60, 130, 132-33
Clarendon, Earl of, 149
Clarendon County (Carolina), 152-54
Clark, Gov. George, 253
Clark, George Rogers, 610, 657, 660
Clayton, John, scientist, 431
Clearing land, methods of, 334-35
Cleveland, Col. Benjamin, 615
Climate, influence of, 11, 12, 67
Clinton, Fort, 600
Clinton, Gov. George, 646, 696, 697
Clinton, Gen. Sir Henry, 589, 593, 597, 605, 606, 613, 614, 618
Clinton, Gen. James, 608
Coaches, 364-65
Coal, 12, 350
Cockfighting, 298
Codes of laws, 63, 78, 94-95, 178, 327
Coercive Acts (1774), 529-31; reaction to, 531-32
Coinage Act (1709), 232
Coins and coinage, 38, 113, 232, 380-81
Coke, Thomas, 400, 645
Colden, Cadwallader, 429, 431, 505, 570
College of New Jersey, 412
Colleges, 47, 404, 410-12, 647
Colleton, Gov. James, 159-60, 216
Colleton, Sir John, 149
Columbia College, 412, 428
Columbus, Christopher, 3-5, 10, 23, 114
Commerce, 3, 23-26; *See also* Trade
Commerce Treaty, with France (1778), 626-27
Commissaries, Anglican, 238
Commission for Regulating Plantations, 128
Commissioners of Customs, 144, 204, 237, 490, 512
Commissions, governors, 236, 239
Commissions, investigating colonies, 52, 200, 202
Committee for Foreign Plantations, 57, 129, 149, 320
Committee of Secret Correspondence, 623, 626
Committee of Trade and Plantations, 129
Committee on Public Safety (N.Y.), 213
Committee on Style and Arrangement (1787), 691
Committees of Correspondence, 523-25
Commodity money, 330, 379-80
Common fields, 326
Common law, 54, 94-95, 423
Common Sense, 552, 565-67
Commons, House of, unreformed, 218, 228, 233, 236, 238, 241
Commonwealth Period, 86, 127-37, 175, 183
Composers, 435-36
Compromises of the Constitution, 690-91
Conant, Roger, colonizer, 81
Concerts, 435, 437
Concessions and Agreement, (N.J., 1665), 184
Concessions and Agreements of Carolina (1663), 153-54
Conciliatory Plans, of Galloway, 536-37; of Pitt, 541-42; of North, 542-43; of Burke, 543-44; of Howe Commission, 575-76; of Carlisle Commission, 631-32
Concord, battle of, 544-46
Conestoga horses, 341-42
Congregational Church, 71, 79, 184, 210; development of, 394-95; missionary work, 395-96, 402, 403, 404, 412; after Revolution, 643
Connecticut, 69, 96, 109, 111, 126, 146-47, 177, 189, 209, 221, 229, 232, 238, 242, 244-45, 251, 280, 301, 325, 327; early, 102-107; in New England Confederation, 108-12; under Commonwealth, 134; restoration in, 202-203; in Dominion, 207; Glorious Revolution in, 212; statehood, 549, 552; ratifies Constitution, 695
Connecticut River and Valley, 102, 104, 106, 110, 164, 171, 176, 177, 250, 252, 324, 342
Conscription, for war, 226
Constable, powers of, 93, 247, 282
Constitution, Federal, 685-91
Constitutional Convention (1787), meets, 685; various plans, 686-90; struggle over ratification, 692-95; ratified, 695-98
Constitutions, State, 552-56
Continental Association (1774), 538-39
Continental Congress, First, 425, 533-40; Second, 425, 557-75

- Continental currency, 560, 636-37
 Contrecoeur, Pierre, 449, 452
 Conventions, political, 95
 Convict labor, 55, 281, 317
 Conway Cabal, 604
 Coode's Rebellion (Md., 1689), 215-16
 Cooke, Ebenezer, 421
 Cookery books, 292
 Cooper, Rev. Myles, 539, 570
 Cooperage, 346
 Cooperative works, 296
 Copley, John Singleton, artist, 434
 Copper production, 12, 233, 350
 Cordwainers, 311
 Corn, 41, 67, 76, 332
 Corn meal, 353-54
 Cornbury, Gov. Lord, 224
 Cornstalk, Chief, 484
 Cornwallis, Gen. Lord, 593, 595, 602, 614-19, 633
 Coronado, Francisco Vasquez, explorer, 5, 7
 Cortés, Hernando, explorer, 8
 Cosby, Gov. William, 418
 Cosmetics, 290
 Cotton, 118, 122, 124, 333
 Cotton, Rev. John, 90-91, 94, 96, 103, 136, 390
 Council, Colonial, powers of, 55, 239-41, 247
 Council for Foreign Plantations, 177
 Council for New England, 57, 78, 80, 102, 107, 163, 329
 Council for Virginia, 38, 41, 128
 Council of Appointment (N.Y.), 556
 Council of Censors (Pa.), 556
 Council of Revision (N.Y.), 556
 Council of State, English, 127, 130, 134
 Council of Trade, 145
 Counterfeiting, 381
 Country party, in England, 46
 Country pay, 379-80
 County government, 51, 246-47
 Court, of elections, 87; of High Commission, 83; of King's Bench, 107; Leet, in Maryland, 64; Pie-Powder, in Maryland, 64; Star Chamber, 83
 Court baron, in Maryland, 64
 Court party, in England, 46
 Courteen Brothers, and West Indies, 117
 Courthouse rings, 247
 Courts, 44, 94, 313-14
 Courtship, 300-305
 Cowpens, battle of, 615
 Craven, Earl of, 150
 Craven County, Carolina, 153
 Creek Indians, 16, 478
 Crime, and punishment, 307-308, 642
 Criminals, shipped to colonies, 317
 Critical years, 662-81
 Croatoan, 32
 Croghan, George, 354, 448, 480
 Cromwell, Oliver, 67, 120-21, 182, 202
 Cromwell, Richard, 128
 Crops, 43, 60, 67-68, 124, 330-34; *See also* Agriculture
 Crown Point (N.Y.), 441, 456, 546, 589, 591, 599
 Crusades, effect of, 1-3
 Culloden, battle of, 273
 Culpeper's Rebellion (N.C., 1677), 146, 157, 201-202, 216
 Cumberland, Bloody Duke of, 273
 Cumberland, Fort, 363, 448, 452
 Cumberland Gap, 482
 Curfews, 282
 Currency, 384-97, 496-97, 560, 636-37
 Currency Act (1708), 381; (1764), 496-97
 Cutler, Rev. Manasseh, 680

D

- Da Gama, Vasco, explorer, 3
 Dairy products, 337, 341
 Dale, Gov. Thomas, 43-45, 50
 Dale's Laws, 44-45, 124
 Dame schools, 407
 Dancing, 296
 Dare, Virginia, 32
 Dartmouth, Lord, 523, 529, 540, 543, 557, 562
 Dartmouth College, 411
 Davenport, John, and New Haven, 106
 Deane, Silas, 535, 623-25, 626
 Death penalties, 44, 307-308, 642
 Debt, imprisonment for, 258
 Debts, state postwar, 670-73
 Declaration of Causes for Taking up Arms (1775), 561-62
 Declaration of Independence (1776), 246, 568-75
 Declaration of Rights and Grievances (1765), 504; (1774), 537-38
 Declarations and Proposals of Carolina (1663), 152

- Declaratory Act (1766), 507–508, 512, 520, 541
Deerfield, Mass., 111; massacre at, 223
Deerskin trade, 354
DeLancey, James, 451, 571, 646, 647
Delaplace, Col. William, 589
Delaware, 138, 167, 194–95, 238, 245, 248; provincial congress, 549; ratifies Constitution, 695
Delaware Bay, 58, 164
Delaware Prophet, Indian leader, 474
Delaware River, 110, 163, 171, 174, 177, 183, 186, 188, 194–95, 253, 254, 371, 479
Demarcation Line (1493), 6
Depressions, 494, 496, 670–71
Desertions, in Revolution, 579
De Soto, Hernando, explorer, 5
Detroit, 222, 447, 474, 478, 610, 675
Diaz, Bartolomew, explorer, 3
Dice, 298
Dickinson, John, 421, 424, 514, 515, 526, 554, 558, 561, 563, 569, 571, 685
Dickinson, Jonathan, author, 386, 421
Dinwiddie, Gov. Robert, 330, 355, 448, 449, 472, 479
Diplomacy of the Revolution, 623–36
Diplomatic revolution, 217, 453
Disallowance of colonial laws, 146, 229, 231, 236, 466–68
Discipline, Church, 387
Diseases, causes of, 43, 226, 425–26
Diversions, 296, 298, 300
Divorce, 305
Dobbs, Gov. Arthur, 239, 254
Doctors, 74, 428–29
Dongan, Gov. Thomas, 179, 213
Doolittle, Amos, engraver, 435
Dorchester, Mass., 81, 92, 104, 326, 590, 592, 599
Dorchester Heights, battle of, 590, 592, 599
Douglass, David, actor, 439–40
Douglass, William, economist, 383
Downing, George, 141
Drainage problem, 331
Drake, Francis, freebooter, 27–28, 31, 114
Drayton, Michael, poet, 25, 39
Drayton, William Henry, 549
Dress, colonial, 288, 290–92
Dress, laws relating to, 279–80, 290
Drinks, 367
Drugs, 31, 426–28
Drummond, William, 159
Drunkenness, laws against, 47
Duane, James, 534, 537, 570, 682
Ducking stool, 309
Dudingston, Lt. William, and *Gaspee*, 522
Dudley, Joseph, 208
Dudley, Paul, scientist, 431
Dudley, Gov. Thomas, 85, 88
Duke's Laws (N.Y.), 178, 183–84, 244
Dulany, Daniel, 315, 350, 424
Dumas, Charles, 623
Dummer, Jeremiah, artist, 433
Dumplin Creek, Treaty of (1785), 659
Dunkards, 400
Dunmore, Gov. Lord, 484, 533, 539, 547, 551, 569
Duquesne, Fort, 447, 452, 456, 471, 482
Durant, George, 149, 201
Durham, County Palatine of, 50, 58, 117, 150
Dutch East India Company, 164
Dutch Reformed Church, 171, 399, 404, 409, 645
Dutch West India Company, 168, 173–74
Duyckinck, Gerret, artist, 433
Dyer, William, 207
- E**
- East India Company (British), 35–36, 42, 57, 106; and tea, 525–29
East Jersey, 184, 186
Eastland Company, 35
Easton, Treaty of (1758), 471, 482
Eaton, Theophilus, and New Haven, 106
Ebenezer, Georgia, 262
Eden, Richard, author, 24
Eden, Gov. Robert, 551
Edenton, N.C., 255
Education, 47, 51, 111, 276, 316, 386–87, 405; in New England, 406–408; in Middle Colonies, 408–409; in South, 409–10; collegiate, 410–14; after Revolution, 410–14
Edward VI, king, 70
Edwards, Rev. Jonathan, 401–403
Egg nog, recipe for, 294
Egremont, Lord, 471, 475, 591
Elections, colonial, 88, 241–43, 248
Eliot, Jared, scientist, 343, 431, 433
Eliot, John, missionary, 395
Elizabeth I, queen, 24–25, 27–30, 32–33, 35
Elizabethan Dream of Wealth, 27–28

- Embry, Rev. Philip, 400
 Emmes, Thomas, engraver, 435
 Emmons, Nathaniel, artist, 433
Empress of China, 668
 Endecott, John, colonizer, 81, 97
 England, early explorations, 22-23; interest in colonizing, 24-25; commercial revolution in, 25-26; rivalry with Spain, 26-28, 121-22, 136, 443-44; rivalry with France, 219-26, 444-58; rivalry with Holland, 134-36, 163, 175-78; colonization by, 28-125, 136-37, 148-62, 177-95, 257-63; commonwealth period, 126-33; restoration, 136-41; Glorious Revolution, 210-11; domestic problems, 217-19, 226-29; colonial administration, 128-35, 139-47, 202-10, 229-35; policies (1763-1775), 459-546; American Revolution, 560-622; diplomacy, 627-36; postwar relations, 662-65, 674-76
 Engravers, 434, 435
 Entails, 132, 327, 329, 645
 Enumerated articles, 140-41, 144-45, 230, 233, 338, 349
 Epidemics, 426
 Esop, N.Y., 600
 Española, 114
 Estaing, Adm. Charles d', 606, 613
 Eutaw Springs, battle of, 616
 Evans, Oliver, inventor, 433
 Exports, colonial, 77, 145-46, 339, 348; of wheat, 337; of livestock, 337; of lumber, 346; of naval stores, 348; of potash, 349; to England, 375-77; to Europe, 377; to West Indies, 377-78; to Africa, 377
- F**
- Fairfax, Lord, 328
 Fairs, 192, 374-75
 Fall Line, 11-12
 Family Compact, 442-43, 444, 456
 Farm implements, 331
 Farm labor, 311-12
 Farm methods, 331-43
 Farm problems, 331-32
 Farmers, as social class, 280-81
 "Farmer's Letters," 514
Federalist, The, 694-95
 Federalists, 692-95
 Fees, 199, 279-80, 310, 487
 Feke, Robert, artist, 434
 Fenwick, John, 185
 Ferguson, Major Patrick, 610, 615
 Ferries, 362, 363
 Fertilizers, 343
 Feudalism, 1, 324, 329
 Finney, Fort, Treaty of (1786), 660
 Finns, 138, 175, 184, 192, 194
 Fire protection, 282-83
 Fisheries and whaling, 8, 36, 80-81, 92, 95, 127, 138, 140, 143, 203, 226, 235, 356-57, 441, 542, 560, 634
 Fisheries Act (1775), 542
 Fishing Creek, battle of, 615
 Fitch, John, inventor, 433
 Five Nations, *See* Iroquois
 Flagg, Josiah, song-writer, 436
 Flax, 47, 306, 353
 Fletcher, Gov. Benjamin, 215
 Florida, 5, 8, 138, 150, 158, 257, 263, 443, 447, 635
 Floridablanca, José de, 628
 Food and drink, 292, 294
 Forbes, Gen. John, 363, 456, 482
 Forest industries, 11-15, 346-49
 Fox, Charles James, 632, 634
 Fox, George, 101, 137, 181-83
 Frame of Government (Pa., 1682), 189-90
 Frampton, John, writer, 24
 France, 16, 57-58, 102, 108, 113, 138, 162, 203, 214, 251-52, 255, 257, 265, 274-75, 280; explorations and settlements, 8-9; rivalry with England, 219-26, 444-58; in Revolution, 606, 616-19; diplomacy, 623-36; after war, 665
 Franchise, 78, 86-88, 105-106, 191, 199, 202, 241, 244-45, 248, 280; *See also* Suffrage
 Franklin, Benjamin, 183, 233, 247, 264, 315, 370, 383, 416, 417, 419-20, 422, 432, 433, 450-51, 458, 498, 499, 554, 558, 564, 569, 571, 573, 576, 625, 633, 634, 667, 685
 Franklin, Gov. William, 551, 571, 650
 Franklin, State of, 659-60
 Fraternal Orders, 300, 307
 Frauds, Act of (1662), 142
 Fraunces Tavern (N.Y. City), 368, 621
 Frederica, Ga., 263
 Frederick the Great, of Prussia, 444
 Free and Accepted Masons, 300, 307
 Freedom dues, 281, 313
 Freeman's Farm, battle of, 600
 Frelinghuysen, Rev. Theodore, 401

- French and Indian War, 449-58
 Friendly Sons of St. Patrick, 300, 307
 Frobisher, Martin, explorer, 29
 Frontenac, Count de, French official, 9, 220, 222
 Frontenac, Fort, 445, 447, 453, 455
 Frontier, moving, 161-62, 278, 480-82
 Fruits, 14, 333, 335
 Fundamental Articles (New Haven, 1639), 106
 Fundamentals of Plymouth (1639), 78
 Fur trade, 14, 20, 31, 36, 80, 95, 102, 106, 111, 138, 160, 173, 175, 198, 219-20, 221, 233, 235, 252-53, 280, 354-55, 471-72, 675
 Furnishings, house, 357
 Furniture, 288-89, 357
- G**
- Gadsden, Christopher, 315, 534
 Gage, Gen. Thomas, 478, 503, 508, 523, 525, 532, 537, 544, 548, 558, 561, 589
 Gaine, Hugh, editor, 417
 Galloway, Joseph, 516, 534, 535, 536-37, 538, 558, 570
 Galloway Plan of Union (1774), 537
 Galphinton, Treaty of (1785), 661
 Gama, Vasco da, explorer, 3
 Gambling, 47, 298, 367
 Games, 367
 Garbage, disposal of, 283
 Garden, Alexander, botanist, 432, 570
 Gardoqui, Diego de, 666-67
Gaspee Affair (1772), 522-23, 524
 Gates, Gen. Horatio, 477, 599, 601, 604, 605, 614, 615
 Gates, Sir Thomas, colonizer, 36, 43-46, 123
 General Society of Mechanics and Tradesmen (N.Y., 1785), 673
 Gentry, 277, 279-80
 Geographic factors, 10-13, 92, 95, 151-55, 250
 George I, of England, 216, 227
 George II, of England, 227, 258
 George III, of England, 459, 461, 464, 506, 507, 519, 520, 540, 562, 563, 575, 602, 634
 Georgia, 13, 238, 245, 247, 260-63, 265, 320, 333, 338; founded, 257-58; charter, 258-60; objectives, 260-62; government, 262-63; royalized, 263; fur trade, 355; state government, 552; and independence, 570; in Revolution, 613-14; ratifies Constitution, 695
 Germain, Lord George, 546, 585, 599, 674
 German Flats, battle of, 454, 607
 German Reformed Church, 400, 404
 Germans, 34, 253-56, 266-69, 280, 314, 319, 336, 341-42, 585, 595, 600
 Germantown, battle of, 607
 Germantown, Pa., 192, 267, 320, 602
 Gerry, Elbridge, 685, 691
 Gibraltar, 226, 628, 636
 Gilbert, Bartholomew, explorer, 36
 Gilbert, Sir Humphrey, colonizer, 28-30, 36-37
 Gilbert, Raleigh, colonizer, 36, 38-39
 Gist, Christopher, 448, 479, 482
 Glass making, 41, 46, 269, 357
 Glorious Revolution, in England, 210-11, 217-19, 236-38; in New England, 211-12; in New York, 212-14; in Maryland, 215-16; in Carolina, 216
 Godfrey, Thomas, inventor, 433; playwright, 440
 Gold and silver, 34, 41, 173
 Golden Age of English Literature, 25
 Golden Hill, battle of, 518
 Golden Hill, Indian reservation, 325
 Gomez, Esteban, explorer, 5
 Good Hope, Fort, 102, 173, 176
 Gordon, Capt. Simon, 116
 Gorges, Sir Ferdinando, colonizer, 36, 38-39, 80, 86, 107-108, 329
 Gorton, Samuel, colonizer, 101
 Gosnold, Bartholomew, colonizer, 36, 40
 Governor, colonial, powers of, 38, 42, 51, 53, 55, 78, 104-106, 122-23, 144, 168-70, 231, 238-41, 246-47, 262
 Graffenreid, Baron Christopher von, 268
 Grafton, Lord, 477, 509
 Grand Alliance, 223, 226
 "Grand Model" of Carolina. *See* Fundamental Constitutions
 Granville District (N.C.), 328, 487, 649, 652
 Grasse, Adm. Comte de, 616-18, 630
 Grayson, William, 678, 680
 Great Awakening, 401-404, 435
 Great Bridge, Va., battle of, 596
 Great Britain, *See* England
 Great Deed of Grant (Carolina, 1668), 155

- Great Lakes, 9, 165, 220, 441, 447
 Great Law of Pennsylvania, 190
 Great Meadows, battle of, 449, 450
 Great migration, 85, 270
 Great Philadelphia Wagon Road, 256, 363
 Great War for the Empire, 270, 273, 363,
 449–58
 Green, Samuel, printer, 415
 Green Mountain Boys, 589, 674
 Greene, Gen. Nathanael, 264, 546, 578,
 595, 601–602
 Grenada, 456, 457
 Grenville, George, 462, 464, 490–509, 511
 Grenville, Sir Richard, 25, 28
 Grimaldi, Jeronimo, 624
 Grist mills, 353
 Guadeloupe, sugar island, 113, 226, 234,
 456–58
 Guiana, English interest in, 114–15
 Guild system, 311
 Guilford Court House, battle of, 616
- H**
- Hakluyt, Richard, the Elder, 26–28, 30, 32
 Hayluyt, Richard, the Younger, 28, 33, 37
 Haldimand, Gen. Frederick, 456, 674
 Hale, Nathan, 595
Half-Moon, 164
 Half-Way Covenant, 394–95
 Halifax, Lord, 231, 464, 471, 475
 Halifax, Nova Scotia, 446, 453, 461, 492,
 493, 494, 592
 Hall, Lyman, 558, 646
 Hallam, William, actor, 439
 Hamilton, Alexander, 439, 554, 682, 684,
 685, 688, 691, 692, 694, 696
 Hamilton, Dr. Alexander, 420, 427, 429
 Hamilton, Andrew, lawyer, 370, 418
 Hamilton, Col. Henry, 610
 Hamilton Plan, 688, 689
 Hammond, John, author, 67
 Hamor, Ralph, colonist, 45
 Hampton Court Conference (1604), 70–71
 Hancock, John, 264, 517, 544, 545, 549,
 558, 559, 571, 695
 Hanging for crime, 307
 Hanover, House of, 226–28
 Hard Labour, Treaty of (1768), 478
 Hard money, 380–81
 Harlem Heights, battle of, 478
 Harmar, Col. Josiah, 660
 Harnett, Cornelius, 548, 567
 Harris, Benjamin, printer, 408, 416
 Harrison, Peter, architect, 287
 Harrod, James, and the West, 483
 Hartford, Conn., 102, 104, 110, 164, 176,
 252, 324, 361
 Hartford, Treaty of (1650), 110, 176
 Hartley, David, 618, 631, 663
 Harvard College, 11, 141, 205, 210, 406,
 410, 411, 412, 430, 432
 Harvey, Sir John, 54–55, 58, 61
 Hasenclever, Peter, ironmaster, 350
 Hat Act (1732), 233, 344, 355, 371
 Hat industry, 233, 355–56
 Hawkins, John and William, 24, 28, 45,
 114, 318
 Headright system, 67–68, 327–28
 Health problems, 425–30
 Heath, Sir Robert, 148, 151
 Hemp, 47, 306, 333, 353
 Henderson, Richard, 483–84
 Hendrick of Mohawks, 451
 Hennepin, Father Louis, explorer, 9
 Henry VII, 22–23
 Henry VIII, 22–23, 26, 70
 Henry, the Navigator, 3
 Henry, Patrick, 264, 500–501, 516, 525,
 534, 569, 610, 644, 692, 693, 696
 Herkimer, Gen. Nicholas, 600
 Hessians, in the Revolution, 585, 595, 600
 Hessilius, Gustavus, artist, 434
 Hibbins, Mrs. Anne, supposed witch, 396
 Highland Scots, 265, 273–74
 Hillsborough, Lord, 475, 477–78, 514, 523
 Hired hands, 312
 Hobkirk's Hill, battle of, 616
 Hogs, 14, 55, 335, 337, 340, 342
 Holidays, 296
 Holland, and Pilgrims, 72–74, 171; colonies
 of, 163–75; rivalry with England, 134–
 36, 163, 175–78; loan to U.S., 629; in
 Revolution, 629–30; after war, 665
 Holliman, Ezekiel, religious leader, 398
 Holston, Stephen, and the West, 482
 Holy Experiment of Penn, 189
 Honorable Board of Associated Loyalists,
 650
 Hooker, Thomas, and Connecticut, 103–
 105
 Hooper, William, 532, 553, 554, 555, 567,
 571
 Hopewell, Treaty of (1785), 659
 Hopkins, Commodore Esek, 587, 619

- Hopkinson, Francis, composer, 436
 Hore, Robert, explorer, 24
 Hornbooks, 408
 Horseracing, 296, 298
 Horses, 143, 337, 341-42
 Hortalez et Cie., in Revolution, 624-25
 Hosiery manufacture, 353
 Hospitals, 307, 428, 647
 Hours of labor, 311
 House of Hope (Hartford), 102
 Household manufactures, 354-56
 Houses, 283-85
 Houses of correction, 306, 309
 Hovering Act, of George I, 593-94
 Howe, Lord Richard, 575-76, 593
 Howe, Gen. Robert, 585, 613
 Howe, Sir William, 454, 575-76, 589, 590,
 592, 593, 595, 599, 601-602, 604-605,
 650
 Howe Commission (1776), 575-76
 Hudson, Henry, 102, 164-65
 Hudson Highlands, war in, 606-607
 Hudson River, 163, 166, 171, 175, 184,
 250, 252, 267, 278, 319, 336, 371, 447,
 600, 606, 607
 Hudson's Bay Company, 138-39, 442, 477
 Huguenots, 9, 274-75
 Humane Societies, 304-306, 642-43
 Hundreds, government units, 51, 64, 246
 Hunter, Gov. Robert, 242, 267, 352, 438
 Husband, Herman, Regulator, 487
 Hussey-Cumberland Mission (1779), 628
 Hutchinson, Anne, 96, 99-100, 107, 429
 Hutchinson, Gov. Thomas, 251, 385, 451,
 469, 503, 522, 523, 524, 526, 528, 570
- I**
- Iberville, LeMoyne, and New France, 220,
 222
 Illinois Country, 222
 Immigration, 119, 138, 264, 310
 Indentured Servants, 62, 271, 313, 641
 Indians, 1, 8-9, 12, 15-18, 19-20, 31-32,
 36, 39-40, 43-44, 47, 51-53, 55-56, 59,
 62, 75-76, 92, 100, 102, 104, 106, 108-
 11, 114, 118, 157, 161-62, 165, 167-68,
 171, 173, 189, 196-200, 205, 210, 214,
 220, 224, 243, 250-51, 255, 257, 260-
 61, 312, 324-25, 331-33, 450-51, 472-79,
 483, 484, 577, 600, 607-10, 660-61,
 675
- Indigo, 11, 118, 122, 145, 158, 263, 333,
 337, 339-40
 Industry, colonial, 11, 50, 95, 196, 276,
 344-59
 Infant mortality, 304, 425-26
 Inglis, Rev. Charles, 393, 539
 Inheritance laws, 327
 Initiative, 101
 Inner Light, Doctrine of, 99
 Inns, 365-68, 387
 Insane, care of, 307, 642-43
 Instructions to governors, 236, 239
 Insurrections, Negro, 321
Inter Caetera (1493), 5
 Intercolonial union, plans for, 229, 540-41
 Intolerable Acts (1774), 529-31
 Inventions, 359
 Iredell, James, 554, 694, 697
 Irish, 265, 275, 280, 315
 Iron Act (1750), 233, 345, 350, 371
 Iron industry, 11-12, 31, 46, 50-51, 233,
 349-50, 357
 Iroquois Confederacy, 16, 18, 164-65, 220,
 222, 252, 446, 450-51, 456, 478, 607-
 608, 660, 675
 Isabella, of Spain, 4
- J**
- Jackson, William, and Constitutional Con-
 vention, 685
 Jails, 309, 642-43
 Jamaica, 114, 118, 121-23, 128, 139, 149,
 183, 442
 James I, of England, 36-37, 50-51, 65, 70,
 74, 128, 219, 226-27, 269
 James II, of England, 139, 149, 177, 179,
 183, 191, 194, 210, 215, 217, 219, 228-
 29, 255
 James River, 39-40, 43, 46, 250, 255, 256,
 274, 371
 Jamestown, 40-41, 43, 46, 58, 60, 73, 123,
 130, 157, 197-200, 252, 255, 284, 331,
 340, 346, 357, 363
 Jay, John, 534, 537, 554, 571, 623, 628,
 633, 634, 666-67, 694, 696
 Jay-Gardoqui Treaty (1786), 666-67
 Jefferson, Thomas, 264, 368, 516, 525,
 532, 533, 547, 558, 569, 571, 573, 616,
 625, 633, 644, 667, 695
 Jenkins' Ear, War of, 443-44
 Jenkinson, Charles, 490, 492

Jenks, Joseph, inventor, 359
 Jesuits, 65–66; *See also* Catholics
 Jews, 217, 244–45, 262, 275, 401, 643
 John Street Theater (N.Y.), 440
 Johnson, Edward, author, 406
 Johnson, Guy, 607
 Johnson, John, 607, 675
 Johnson, Sir William, 446, 450, 451, 453,
 456, 471, 474, 477, 478, 649, 660
 Johnston, Gabriel, 243, 273
 Johnston Riot Act (1770), and Regulators,
 488
 Joint stock companies, 34–35, 81, 164
 Joliet, Louis, explorer, 9
 Jones, Capt. Christopher, 74
 Jones, Rev. Hugh, 317, 432
 Jones, Capt. John Paul, 619–20
 Joseph, Gov. William, 216
 Judiciary, Colonial, powers of, 51, 53–54,
 94, 240, 246
 Jumonville, Coulon de, 449, 450
 Junto (1727), 432
 Jury trial, 94, 107, 232
 Justice of Peace, powers of, 51, 54, 93–94,
 246–47, 263

K

Kalb, Baron de, 578, 615
 Kalm, Peter, traveler, 361, 378, 458
 Kaskaskia, 22, 610
 Kean-Murray Company, and theater, 438–
 39
 Keayne, Robert, and pig case, 89–90
 Keith, Gov. William, 497
 Kelpius, Johann, 266
 Kennebec River, and colony, 36, 38–39,
 70, 80–81, 112
 Kent Island dispute, 55, 63, 132
 Kentucky, 482, 488, 666
 Kidd, Capt. William, pirate, 373
 Kidnapping, 20, 317
 Kieft, Gov. Willem, 168, 175
 King, Rufus, 666, 685, 691
 King George's War, 411, 444–46
 King Philip's War, 111, 205–207, 354, 395
 King William's War, 251, 382
 King's Bench, Court of, 52, 107
 King's College, 394, 412, 414, 428
 King's Friends, 462, 520, 631
 King's Mountain, battle of, 615
 Kirk, Bloody Percy, 208

Knight, Sarah Kemble, author, 420
 Knox, Gen. Henry, 591, 592, 622, 672
 Knyphausen, Gen. Wilhelm, 585, 601
 Kocherthal, Joshua von, 267
 Kosciuszko, Gen. Thaddeus, 578
 Krefelders, 194

L

Labor, in towns, 310–11; farm, 311–12;
 indentured, 312–16; apprentice, 316;
 convict, 317; slave, 317–19
 Labor legislation, 47
 Lafayette, Marquis de, 578, 606, 616, 618
 Lake Champlain, 165, 441, 461, 591
 Lake George, 165, 441, 461, 591
 Lancaster, Pa., 254, 256, 336
 Land Bank Manufactury Scheme, 384–85
 Land Companies, and the West, 447, 479–
 80, 654, 680–81
 Land conveyances, 363–65
 Land grants, size of, 324, 327–29, 479–
 80
 Land tenure, 20, 32, 41, 45, 47–49, 53, 62,
 67, 76, 79, 92, 108, 131–32, 153–55,
 189, 210, 254, 261–62, 265–66, 271–72,
 313, 323–32
 Landgrave, 153
 Lane, Gov. Ralph, 31
 Language, diversity of, 174
 La Salle, Robert Cavelier de, explorer, 9
 Latin Grammar Schools, 504–507
 Laud, Archbishop William, 83, 85, 128,
 133
 Laudonière, René de, explorer, 9
 Law, Andrew, musician, 436
 Law, Mosaic, 71, 82, 94, 95, 107, 331–32,
 387
 Laws and Liberties of Massachusetts
 (1648), 95
 Lawson, John, explorer and author, 19–20,
 301
 Lead mining, 350
 League of Augsburg, War of the, 219
 LeBoeuf, Fort, 447, 448, 474
 Lechmere, Thomas, 271, 468
 Lee, Arthur, 624, 626
 Lee, Fort, fall of, 595
 Lee, Gen. Charles, 477, 560, 569, 593,
 595, 597, 605, 606, 615
 Lee, Lighthorse Harry, 607, 615, 616
 Lee, "Mother Ann," and Shakers, 400

- Lee, Richard Henry, 132, 499, 516, 525, 534, 539, 552, 625, 692, 693
 Lee Resolution (1776), for independence, 568–69; passed, 571, 653
 Leet men, 153
 Legal profession, 423–25, 647
 Leisler, Jacob, 212–14, 229
 Leisler's Rebellion, 212–15
 Leonard, Daniel, 524, 570
 Levant Company, 35
 Lexington, battle of, 544, 546
 Liberty poles, 503, 518
 Libraries, 393–94, 422, 435, 648
 Lieutenant, County, powers of, 51
 Lighting, of streets, 282
 Lincoln, Gen. Benjamin, 593, 613, 614, 672–73
 Linen clothing, 290
 Linen production, 351
 Liquors, 294, 367
 Literature, 420–21; medical, 430
 Livestock raising, 12, 51, 55, 154, 333, 335, 340–42
 Livingston, William, lawyer, 424, 539, 571
 Livingston Plan of Union, 229
 Loan offices, 384
 Loans, during Revolution, 624–25, 630, 638
 Local government, 50–51, 132, 150, 198, 247–49, 324
 Lochaber, Treaty of (1770), 478, 480
 Locke, John, 152, 573
 Loe, Thomas, Quaker, 183
 Log cabins, 175, 284
 Log College, 403
 Logan, James, 271, 431, 481
 London Company, 36, 41–42, 57, 82, 333
 Long Island, 100, 102, 164, 166, 169, 171, 176, 177, 178, 252, 342, 363, 434, 593–94
 Long Island, battle of, 593–94
 Long Island, Treaty of (1777), 610
 Long Parliament, 86, 127, 129, 134
 Longevity of life, 260
 Lord Dunmore's War, 484
 Lords, House of, composition, 70, 228, 241
 Lords Commissioners of Trade and Foreign Plantations, *See* Board of Trade
 Lords of Trade, 145, 187, 205, 207, 212, 215, 230, 329
 Loudon, Lord, 453, 455
 Louis XIV, 19, 223, 274
 Louis XVI, 624–25
 Louisbourg, Fort, 445, 446, 453, 455
 Lovelace, Gov. Francis, 369
 Loyal Land Company, 479–80, 482
 Loyalists, 570–71, 574–75; treatment of, 648–49; confiscation of property, 638, 649–50; military efforts of, 650–51; exodus of, 651–52; British aid to, 652; postwar problems, 652
 Ludwell, Philip, 157
 Lumbering industry, 11, 14, 95, 120, 138, 346–47
 Lutheran Church, 171, 262, 276, 400, 404
 Luzerne, Chevalier de la, 633
 Lyford, Thomas, 96
 Lynn, Mass., 349, 357
 Lyon, James, musician, 436

M

- Mace, Samuel, explorer, 36
 Madison, James, 132, 568, 667, 682–83, 685, 691, 692, 694
 Madrid, Treaty of (1670), 121, 257, 442
 Magazines, 419–20
 Magellan, Fernando, explorer, 5
 Maine, 13, 81, 86, 108, 112, 203, 208–209, 212, 221, 223, 229, 263, 269, 329, 445
 Makemie, religious leader, 397
 Malaria, 426
 Manhattan Island, 164, 167, 172, 174, 177, 347, 363, 592–94
 Manors, 62, 64, 150, 152–53, 159, 171, 277, 329
 Manufacturing, 46, 95, 140, 232, 344–59
 Maps, battle of, 446–47
 Marine Committee, in Revolution, 581
 Marine Corps, established, 587
 Marion, Francis, 614, 616, 651
 Markets, farmers, 192, 374–75
 Marquette, Père Jacques, explorer, 9
 Marriage customs, 303–304
 Martyn, Benjamin, 259–60
 Maryland, 13, 55, 87, 126, 129, 146–47, 149, 156, 173, 187, 238, 241, 244–45, 248, 271, 275, 277–78, 290–91, 304, 315, 317–20, 328, 330, 333; founded, 58–62; early government, 62–64; manorial system, 64; religious problems, 64–67; economic growth, 67–68; and Commonwealth, 132–33; and Glorious Revolution, 215–16; provincial congress,

- Maryland (*continued*)
 547, 549; opposes Articles, 656-57;
 ratifies Constitution, 696
- Mason, George, 553, 568, 683, 685, 691
- Mason, John, and Maine, 81, 86, 107, 329
- Mason and Dixon Line, 59, 189
- March, John, 224
- Marston Moor, battle of, 127
- Massachusetts Bay Colony, 69, 78, 79,
 81-82, 101, 102, 104-13, 126, 128, 221,
 223, 229, 238, 242, 245, 247, 251-52,
 254, 278, 310-11, 320, 324-25, 327,
 329, 371, 514-15, 518, 519, 530, 535-36;
 established, 83-85; migration to, 85;
 charter problems, 85-89; political de-
 velopment, 89-91; town government,
 92-93; judicial development, 94-95;
 and Commonwealth, 133-34; restoration
 in, 202-207; loss of charter, 207; in
 Dominion, 207-10; Glorious Revolution,
 211-12; provincial congress, 548-49;
 state government, 551; supports inde-
 pendence, 568, 570; ratifies Constitution,
 695
- Massachusetts Bay Company, 81-82, 85,
 329
- Massachusetts Government Act (1774),
 530, 631
- Massachusetts Land Bank, 371
- Massacre, Indian, of 1622, 51-52; of 1644,
 129
- Mather, Cotton, 98, 210-11, 390, 396,
 420, 430, 431
- Mather, Increase, 208, 210, 394, 395, 396,
 401, 420
- Maury, Rev. James, and Parsons' Cause,
 466-68
- Maximum wage legislation, 310
- May, Cornelis, explorer, 163, 165
- Mayflower*, 73-75, 80, 340
- Mayflower Compact (1620), 75, 78-79
- Mayor, office of, 248
- McCrea, Jane, murder of, 600
- McDougall, Gen. Alexander, 533, 588
- McGillivray, 661, 666
- McIntosh, Treaty of (1785), 660
- Mecklenberg Resolution (1775), 550
- Medical care, Army, 582-83
- Medical literature, 430
- Medical profession, 425-29
- Medicines and drugs, 24, 426-29
- Menéndez, Pedro, explorer, 9
- Mercantilism, 31, 113, 128, 140, 187-88,
 223, 229, 231, 233, 262, 267
- Mercer, Fort, fall of, 602
- Mercer, Gen. Hugh, 595
- Merchant Adventurers, 34
- Merchant class, influence of, 34-35, 42,
 81, 106, 124, 134, 136, 138-39, 142-44,
 230
- Merchant mills, 353
- Methodist Episcopal Church, 400, 401, 645
- Methodist societies, 400, 401
- Middle class, 280
- Middle Colonies, colonization of, 166-95;
 Glorious Revolution in, 212-15; growth
 of, 252-54; population, 254, 256; agri-
 culture, 336-37; education in, 408-409
- Middleton, Henry, 534
- Military roads, 363, 382
- Militia, 51, 199-200, 238, 243, 296, 544,
 545, 578
- Millenary Petition (1603), 70
- Mining, 12, 349-51
- Minisink, battle of, 607
- Minuit, Peter, 167
- Minutemen, 544, 545
- Missionary work, 111, 393-94, 395-96,
 404, 480
- Mississippi Bubble, 385
- Mississippi Land Company, 480
- Mississippi River, 5, 222, 480, 635, 666-67
- Mitchell, John, scientist, 431
- Modyford, Thomas, 119, 136
- Mohawk Valley, 12, 163, 165, 221, 252-53,
 268, 447, 471-72, 482, 607-608
- Mohawk Valley Report, 471-72, 482
- Molasses, 120, 233-34, 342
- Molasses Act (1733), 233-35, 490, 492
- Money, colonial, 38, 113, 232; Continental,
 636-37
- Monmouth, battle of, 605-606
- Monopolies, 50, 54, 311, 358, 525-29
- Montcalm, Gen. Louis Joseph, 453, 456-57
- Montgomery, Fort, 600
- Montgomery, Gen. Richard, 477, 590
- Montgomery, Sir Robert, 117, 257-58
- Montreal, 9, 220, 224, 441, 445, 456, 591
- Moody, Deborah, 245
- Moore, James, 224, 597
- Moore's Creek Bridge, battle of, 567,
 596-97, 650
- Moot, The, 424-25
- Moravians, 256, 262, 276, 400

Morgan, Sir Henry, 122
 Morgan, John, doctor, 429, 430, 570
 Morocco, 668
 Morris, Gouverneur, 560, 666, 685, 691
 Morris, Lewis, 186
 Morris, Robert, 571, 588, 638, 665, 670, 685
 Mortality, in colonies, 41, 51-52, 75-76, 85, 320, 340-41, 425
 Morton, Thomas, 96-97
 Mosaic Ministry, 510
 Moultrie, Col. William, 597
 Mount Defiance, N.Y., 599
 Mount Vernon, 353, 683-84
 Mount Vernon Conference (1785), 683-84
 Mullins, Priscilla, 74
 Mun, Thomas, writer, 140
 Municipal government, 248-49
 Municipal problems, 281
 Muscovy Company, 35, 39, 164
 Music, in churches, 390, 435-37
 Mutilation, for crime, 44, 307-308, 642
 Mutinies, in Revolution, 581-82
 Mutiny Act (1689), 217

N

Narragansett Bay, 81, 100, 342
 Narragansett pacer, 298, 341
 Nassau, Fort (Albany), 165, 166; (N.J.), 163, 166, 185
 Naval stores, 11, 14, 31, 36, 41, 138, 145, 160, 203, 231, 233, 267, 314, 323, 344, 348-49
 Navies, state, 587, 620-21
 Navigation Acts, 50, 119, 128, 144-47, 188, 198, 237, 342, 454; of 1651, 128, 135; of 1660, 141-42, 144, 177, 338, 371; of 1663, 142-43, 177, 371; of 1673, 144, 201; of 1696, 217, 230; Molasses Act, 233-35, 490, 492
 Navy, Continental, organization of, 586-88; administration of, 588; exploits, 619-21
 Neale, Thomas, postmaster, 369-70
 Neau, Elias, teacher, 393
 Necessity, Fort, 450
 Negro slavery, 1, 8, 20, 49, 67-68, 113, 119-20, 122, 138, 160-61, 177, 186, 226, 245, 261, 263, 265, 269, 278, 281, 292,

Netherlands, *See* Holland
 New Amsterdam, 157, 167, 169, 173, 176, 275
 New Bern, N.C., 255, 275
 New England, 11, 57, 64; colonization of, 75-108; and Confederation, 108-12, 134; and Commonwealth, 133-34; restoration troubles, 202-207; under Dominion, 207-10; Glorious Revolution in, 215-16; expansion of, 251-52; population, 254-56; agriculture, 337-40; education in, 409-10
 New England, Council for (1620), 80-81
 New England, Dominion of, 145-46, 179, 207-10, 220, 229, 238, 329
 New France, 9, 165, 220-26, 441-58
 New Hampshire, 12, 81, 86, 107-108, 110, 112, 134, 203, 208-209, 221, 238, 243, 251-52, 329; provincial congress, 547; state government, 552; supports independence, 570-71; ratifies Constitution, 696
 New Haven Colony, 69, 106-11, 134, 203, 252, 301, 324
 New Jersey, settled, 183-84; problems of, 184-86; division of, 186-87; provincial congress, 549; state government, 552; supports independence, 571; ratifies Constitution, 687-88, 695
 New Jersey Plan, 687-88
 New Netherland, founded, 166-67; government of, 168-71; land system, 171-72; characteristics of, 172-74; conquers New Sweden, 174-75; relations with English, 175-77; conquest of, 177-78
 New York, English conquest of, 177-78; under Duke's laws, 178; government problems, 178-79; relations with Indians, 179-80; under Dominion, 209; Glorious Revolution in, 212-14; trouble with England, 513; provincial congress, 549; state government, 551, 552; supports independence, 570-71, 575; and Articles, 657; ratifies Constitution, 696-97
 New York City, 213-14, 252, 254, 275, 281, 283, 307, 319-21, 363, 364, 365, 367, 368, 369, 370, 378, 388, 392, 393, 399, 400, 401, 416, 418-19, 433, 435, 437-39, 485, 494-96, 501-505, 518, 521, 528, 593-95, 643, 647, 673
 Newburgh, N.Y., 267, 582

- Newcastle, Lord, 454; ministry of, 480
 Newfoundland, 24, 29, 39, 57, 80, 164, 204, 220, 224, 226, 356
 Newlanders, 266
 Newport, Capt. Christopher, 39-41, 44
 Newport, R.I., 100, 102, 235, 251, 252, 275, 320, 398, 440, 496, 606
 Newspapers, 415-19
 Newtown, Mass., 100, 103, 104
 Niagara, Fort, 441, 442, 452, 482, 608
 Nicholson, Gov. Francis, 209, 212-13, 224
 Nicolet, Jean, explorer, 9
 Nicolls, Col. Richard, 177, 178
 Night Watch, in towns, 282
 Niles, Nathaniel, musician, 436
 Ninety-Six, battle of, 616
 Non-Importation Agreements, 504-505, 515-18, 521, 538-39
 Norfolk, Va., 255, 371, 596
 North, Frederick Lord, 519, 520, 539, 542-43, 544, 546, 551, 575, 630, 631, 633, 634
 North Carolina, founding of, 153-58; people of, 157-58, 273-75; unrest, 201-202, 216; provincial congress, 547-48, 549, 550, 551; state government, 552; supports independence, 567-68, 570-71; ratifies Constitution, 697-98
 Northwest passage, quest for, 28-29, 36
 Northwest Posts, 674-76
 Norumbega, 29, 36
 Nostrums, 426-28
Nova Caeseria, *See* New Jersey
 Nova Scotia, 221, 223, 226, 369, 393, 532, 651
- O**
- Obstetrics, 429
 Oglethorpe, James, and Georgia, 257-58, 261-63, 338, 443
 Ohio Company, 448, 479-80
 Ohio Company of Associates, 680
 Ohio River, 447, 448, 470
 Ohio Valley, 16, 442, 447-50, 470ff, 680
 Old Field Schools, 409-10
 Old Maids, attitude toward, 301
 Oldham, John, 102, 109
 Oligarchy, in Massachusetts, 91-92, 103
 Olive Branch Petition (1775), 560-61
- Opera, 435
 Orange, Fort, 166, 173
 Ordinance, of 1784, 676; of 1785, 677-79; of 1787, 679-81
 Orient, trade with, 668
 Oriskany, battle of, 600
 Orphans, care of, 54, 306
 Oswald, Richard, peace envoy, 634
 Oswego, N.Y., 252-53, 354, 442, 447, 453, 482, 675
 Otis, James, 496, 499, 503, 515, 517
 Oxen, 341
- P**
- Paine, Thomas, 552, 554, 564-67, 649
 Painting, 433-35
 Palatines, 266-68
 Paoli Massacre, 602
 Paper making, 269, 357
 Paper money, 243, 382-84, 637-38
 Pardo, Convention of (1739), 443
 Pamis, Treaty of (1763), 457-59; (1783), 632-36
 Parish, 51, 248
 Parker, Commodore Hyde, 613
 Parker, Capt. John, 545
 Parker, Adm. Sir Peter, 593, 597
 Parliament, 46, 52, 63, 83, 100-101, 122, 130, 132-33, 139, 217-19, 227-28, 230, 234, 236, 260, 270, 317, 339, 384, 457, 459, 462-63, 464, 465, 491, 497, 498, 503, 504, 506, 507, 513, 519, 520, 525, 529, 531, 536, 541, 542, 563, 573, 631
 Parsons' Cause, 466-68
 Patents, 350
 Paterson, William, 685, 687
 Patroonships, 171-72, 277-78
 Paxton Boys, 486
 Pay, Army, 581; Navy, 587
 Peale, Charles Willson, artist, 434
 Pearl ash, 41, 145, 345, 349
 Peckham, Sir George, 114
 Peddlers, 370, 375
 Pelham, Peter, engraver, 435, 519
 Pemaquid, Me., 36, 222
 Penal codes, changes after Revolution, 642-43
 Pendleton, Edmund, 560, 645
 Penn, Gov. John, 549, 551, 649, 652
 Penn, Adm. William, 121, 183

- 207, 215, 229, 259, 267, 278, 421, 425, 649, 652
Pennsylvania, founded, 187-89; Holy Experiment, 189; government problems, 189-91; growth of, 191-94; Glorious Revolution in, 215; provincial congress, 547; state government, 552; supports independence, 570-71; ratifies Constitution, 695
Pennsylvania, University of, 380, 411, 425, 428, 432
Pennsylvania Dutch, 194, 342-43
Pennsylvania Society for Promoting Abolition of Slavery (1784), 640
Penobscot, 77, 80, 164, 221, 620-21
Pepperell, Gen. William, 445, 649
Pequot War, 104
Pequots, 102, 104, 106, 109, 325
Perceval, Lord Egmont, 258
Percy, George, 39, 43
Percy, Lord Hugh, 546
Petition of Right (1628), 83
Philadelphia, 80, 157, 186, 192, 252, 256, 268, 271, 275, 282, 343, 363, 365, 368, 371, 388, 397, 416, 419, 422, 485, 534, 557, 601-602, 604-605, 640, 642-43, 651, 673, 685
Philadelphia Convention (1787), 685-91
Philadelphia Society for Alleviating Miseries of Public Prisons (1787), 642-43
Philip II, of Spain, 27, 70, 72
Phips, Sir William, 221
Pickens, Andrew, 614
Piedmont, geography of, 12, 255-56
Pietists, 266-67, 400
Pinckney, Charles Cotesworth, lawyer, 338, 424, 685
Pinckney, Eliza Lucas, and indigo, 339
Piracy, 232, 372-73
Piscataqua, 107-108
Pitcairn, Major John, 545
Pitt, Fort, 474
Pitt, William, 449, 454-58, 506, 507, 509, 510, 519, 541-42, 557
Pizarro, Francisco, explorer, 8
Plan of 1776, 625-26
Plantation Covenant, 75, 79, 99, 106
Plantation Duty Act (1673), 139, 144, 146
Planter class, 42, 50-51, 56, 73-74, 118-19, 261, 321, 327-28
Plows, 331
Plymouth Company and Colony, 13, 36, 42, 60, 75-80, 96, 102, 104, 108, 110, 112, 157, 209, 212, 229, 244, 340
Point Pleasant, battle of, 484
Police protection, in towns, 282
Poll taxes, 330
Ponce de Leon, Juan, explorer, 5
Pontiac's Conspiracy, 472-75
Poor Law (1601), 34
Poor relief, 51, 248, 304-306
Popham, George, 38-39
Popham, John, 36-37
Population, of Va., 53, 55, 131; of Md., 68; of Plymouth, 78; of Mass., 85; of R.I., 102; of Conn., 106; of N.C., 158; of S.C., 161; of N.Y., 172-73; of N.J., 186; of Pa., 192-94; of Ga., 263; of New England, 252, 256; of Middle Colonies, 252-54, 256; of South, 254-55, 256
Port Royal, Acadia, 221
Port Royal, S.C., 9, 153, 158, 161, 224
Porto Bello, 121, 444
Portolani, 2
Portsmouth, R.I., 100-101, 252
Portugal, 1, 3-5, 22, 27, 164
Pory, John, 47, 148-49, 158
Post roads, 363, 370
Postal system, 232, 368-71
Potash, 41, 145, 345, 349
Potatoes, 332
Potomac Company, 683
Potomac River, 55, 59, 61, 252, 255, 256, 328, 371
Powell, Henry and John, 116
Powhatan, Indian chief, 40-41
Prado, Albert de, explorer, 24
Prayer meetings, 92, 99
Prayer of Charleston child, 275
Presbyterian Church, 70, 97, 270, 272, 274, 397-98, 402, 403, 404, 409, 412, 645
Presqu'Isle, Treaty of (1763), 474
Prester John, 3
Press, colonial, 415-19
Preston, Capt. Thomas, 518
Primers, 408
Primogeniture, 192, 327, 329, 645
Princeton, battle of, 595
Princeton College, 403, 407, 411
Pring, Martin, explorer, 36, 38
Prisons, 309, 642-43

- Privy Council, 54, 57, 108, 122, 145, 149, 188, 202, 215, 230-32, 234, 236-37, 239-40, 247
 Proclamation money, 232, 381
 Proclamation of Rebellion (1775), 562-63
 Proclamation of 1763, 475-77, 478-80
 Prohibitory Act (1775), 563-64
 Promotional literature, 24-25, 39-40, 67-68, 154, 191-92, 260, 267
 Protestant Association (Md., 1689), 215-16
 Providence, R.I., 98-102, 112, 251, 252, 398, 440, 533
 Providence Island Company, 121-22
 Providence Plantations, *See* Providence, R.I.
 Provincetown, Mass., 74, 350
 Provincia Montgomeria, 117
 Proxy system in legislatures, 63
 Pulaski, Gen. Casimir, 578
 Punishment, for crime, 44, 315, 321, 642
 Purchas, Samuel, 33.
 Puritan Revolution, in England, 127, 138
 Puritans, 57, 65-66, 69, 71, 83, 96-102, 106-108, 120, 130, 133, 182, 184, 202, 207, 252, 278, 319, 386, 387, 388, 390, 397, 406, 423, 437
 Purry, J. P., 258
 Putnam, Gen. Israel, 546, 593
 Putnam, Gen. Rufus, 679
- Q**
- Quarantine laws, 429
 Quartering Act (1765), 508-509; (1774), 531
 Quebec, 9, 165, 220, 224, 441, 445, 456, 531, 616
 Quebec Act (1774), 401, 531
 Queen Anne's War, 223-26, 251, 382
 Quilting parties, 296
 Quincy, Josiah, 518, 586
 Quinnipiack, 106; *See also* New Haven
 Quitrents, 62, 155, 215, 329-30, 488, 646
Quo Warranto, 52, 86, 129, 191, 207
- R**
- Rale, Sebastian, 441
 Raleigh, Walter, 27-32, 36, 114
 Randolph, Edmund, 132, 554, 571, 682, 685, 686, 691
 Randolph, Edward, 107-108, 205-208
 Randolph, Peyton, 516, 535, 558
 Rastell, John, writer, 24
 Ratification, of Constitution, struggle over, 692-96
 Rations, 580-81
 Rayneval, Gérard de, 634, 635
 Read, Daniel, song-writer, 436
 Read, William, artist, 433
 Recall, 105
 Redemptioners, 271, 312-14, 319
 Redstone Old Fort, 448, 479
 Redwood Library (Newport, 1747), 435
 Referendum, 101
 Regicides, 107, 206
 Regulated companies, 34
 Regulating Act (1773), 526
 Regulators, of North Carolina, 486-88
 Relief agencies, 306
 Religion, 51, 64, 75, 101-102, 108, 138, 153, 171, 259, 265, 276, 386-404, 643-45
 Religious qualifications for voting, 244
 Remonstrance and Petition (1652), 170
 Renaissance, importance of, 2-3
 Requisition system, 222, 461, 637
 Restoration, of Charles II, 86, 137-47, 176, 183, 196, 202
 Restraining Acts (1775), 542
 Revere, Paul, 435, 436, 519, 537, 621
 Revolution, American background of, 459ff; provincial congresses, 547-50; state constitutions, 551-56; failure to conciliate, 560-64; independence, 567-75; military aspects, 577-622; diplomacy of, 623-36; financing, 636-39; internal aspects of, 640-52
 Rhenish Palatinate, War of, 219-22
 Rhode Island, 96, 109, 110; founded, 98-99, 100; government of, 100-101; religious freedom in, 101-102; and Commonwealth, 134; charter, 203, 209, 212, 229; provincial congress, 549; state government, 552; supports independence, 568; rejects Constitution, 698
 Ribaut, Jean, explorer, 9
 Rice, 11, 158, 160-61, 233, 263, 274, 319, 333, 337-40
 Rich, Sir Robert, Earl of Warwick, 46, 114
 Riedesel, Baron Friedrich von, 585, 591

- Rittenhouse, David, scientist, 432, 565, 647
 River Towns, 104, 107, 325; *See also Connecticut*
 Rivington, James, journalist, 417
 Roads, 256, 362–63, 370, 482
 Roanoke Island colonies, 30–32, 36
 Robertson, James, 483
 Robinson, Andrew, shipbuilder, 361
 Robinson, John, separatist leader, 72
 Rochambeau, Count de, 616
 Rockingham, Lord, 607, 617–18, 634
 Rodney, Caesar, 535, 549, 571
 Roe, Sir Thomas, 114
 Rolfe, John, 49
 Rotch, Francis, and tea ship, 528
 Roundheads, 127
 Royal African Company (1672), 138–39, 318
 Royal Society of London, 430, 431
 Rum, 171, 261–62, 319–20, 494
 Rumsey, James, inventor, 433
 Rush, Benjamin, 428, 565, 570, 642
 Rut, John, explorer, 24
 Rutgers College, 411
Rutgers v. Waddington (1786), 652
 Rutledge, Edward, 424, 537, 549, 569, 576
 Rutledge, John, 534
 Ryswick, Treaty of (1697), 222–23
- S
- Sabbath, observance of, 66, 311
 Sagadahoc River, 38
 St. Andrews Society, 300, 307
 St. Augustine, Fla., 9, 31, 224, 257–58, 262, 443
 St. Cecilia Society (Charleston), 436
 St. Christopher, 115; *See also St. Kitts*
 St. Clair, Gen. Arthur, 477, 499
 St. Eustatius, 113, 629–30
 St. Kitts, 113–18, 226
 St. Lawrence River, 9, 165, 221, 226, 441, 447, 456
 St. Leger, Barry, 600
 St. Mary's, Maryland, 60–61, 63, 66, 132, 157, 216, 255, 330
 Salem, Mass., 81, 85, 97, 252, 320, 324, 348, 357, 496
 Salem, N.C., 268, 283
 Saltburgers, in Georgia, 262
 Salutary Neglect, 235, 257
 San Ildefonso, Treaty of (1763), 457
 Sandys, Sir Edwin, 42, 45–47, 50–51, 72
 Sanitation problems, 283
 Saratoga, Convention of (1777), 601
 Saratoga, battle of, 601
 Savannah, Ga., 255, 262–63, 275, 311, 613
 Sawmills, 346–47
 Saybrook, Conn., 102, 104, 176
 Saye and Sele, Lord, 102, 120
 Schenectady, N.Y., 213, 221
 Schuyler, Gen. Philip, 560, 571, 599
 Scientific progress, 33, 430–33
 Scioto Company, 680
 Scotch-Irish, 194, 254–56, 269–72, 315
 Scrooby, England, 71–72, 74
 Sea Dogs, Elizabethan, 28–30, 114–20
 Seabury, Samuel, 539, 570, 645
 Sears, Isaac, 501, 533
 Secretary of State for the Colonies, 237, 478, 523, 543
 Secretary of State for Southern Department, 237, 448, 471, 477, 493
 Sectionalism, 276, 484–88
 Sedan chairs, 364
 Selectmen, 93, 248, 326
 Separation of Church and State, 643–45
 Separatists, 71–74
Serapis, 646
 Sermons, 311, 390
 Services, length of church, 390
 Settlement, Act of (1701), 219, 223, 226–27
 Seven Ranges, 678
 Seven Years' War, 449–58
 Sevier, Col. John, 483, 615, 659–60
 Seville, Treaty of (1729), 443
 Sewall, Judge Samuel, 397, 420–21
 Shakers, 400
 Shays, Daniel, 671–73
 Shays's Rebellion, 671–73
 Sheep raising, 194, 335, 337, 342, 351
 Sheffield, Lord, 663
 Shelburne, Lord, 472, 477, 510, 663
 Shelby, Col. Isaac, 615
 Shenandoah Valley, settled, 12, 255, 268
 Sheriff, powers of, 21, 247, 330
 Sherman, Mrs., and pig, 89–90
 Sherman, Roger, 534, 569, 685, 689, 690
 Shipbuilding, 11, 14–15, 23, 39, 46, 92, 140, 142, 145, 230, 311, 347–48

- Shirley, Gov. William, 445, 451, 452
Shoe industry, 357
Side shows, 299–300
Silk industry, 31, 261, 263, 274, 338
Simon, Trent, Levy, and Franks, 480
Singing societies, 435–36
Six Nations, *See* Iroquois
Slave trade, 28, 235, 317–20, 377
Slave uprisings, 320–21
Slavery, Negro, *See* Negro Slavery
Sloughter, Gov. Henry, 214
Smallpox, 426
Smibert, John, artist, 434, 435
Smith, Col. Francis, 544–46
Smith, Capt. John, 40–41, 75–76, 80, 163, 311, 354, 356, 421
Smith, Sir Thomas, 36, 42, 49, 52
Smith, William, lawyer, 424
Smuggling, 177, 204–206, 235, 442, 454–55, 461, 490–92, 522
Soap making, 312
Social classes, 161, 277–81, 300
Society for Encouragement of Manufactures and Useful Arts (Phila.), 673
Society for Encouraging Industry (Boston), 358
Society for Promotion of Manumission of Slaves (N.Y.), 641
Society for Propagating the Gospel in New England, 395
Society for Relief of Distressed Debtors (N.Y.), 642
Society for the Promotion of Arts, Agriculture and Oeconomy (N.Y.), 358, 495, 503
Society for the Promotion of Christian Knowledge (SPCK), 258, 262, 393
Society for the Propagation of the Gospel (SPG), 111, 258, 386, 393–94, 422
Society of Friends, *See* Quakers
Soil and soil exhaustion, 11–12, 67, 113, 119, 234, 338
Somers, Sir George, 36, 43, 123–24
Sons of Liberty, 501–503, 505, 517, 521, 524, 527, 535
Sons of St. George, 300, 307
Sothel, Gov. Seth, 156–57, 216
Soto, Hernando de, explorer, 5
Soul Liberty, 97–98
South Carolina, founded, 158–60; growth, 160–62, 274–75; unrest, 201–202, 216; slavery in, 318–19; provincial congress, 540; state government, 550; support in dependence, 570–71; ratifies Constitution, 696
Southampton, Earl of, 46
Southern Colonies, founded, 36–68, 148–61, 257–63; and Commonwealth, 129–33; troubles under Restoration, 196–202; Glorious Revolution in, 215–16; population, 254–56; agriculture, 337–40; education, 409–10
South Sea Company, 226
Spain, explorations, 3–5; empire, 5–8; rivalry with England, 22, 26–28, 114, 136–37, 175, 263, 442–44
Spangenberg, Bishop A. C., 256, 262, 331
Spanish Armada, 25, 114
Spanish dollars, 232, 380
Spanish Succession, War of, 223–26
Speculating companies, 479–81, 661, 679–81
Speedwell, 74
Spinning, 351–53
Sports, 296
Spotswood, Gov. Alexander, 241, 350, 357, 370, 438
Springfield, Mass., 104
Squanto, 76
Squatting, 324, 328
Stagecoaches, 364–65
Stamp Act (1765), 490, 497–99; opposition to, 499–505; repeal of, 505–507
Stamp Act Congress (1765), 503–504
Standish, Capt. Miles, 74, 77, 97
Stanwix, Fort, 478, 479, 600
Stanwix, Fort, Treaty of (1768), 478–79; (1784), 660
Staple Act (1663), 139, 142–43
Stark, Gen. John, 546
Starving time, in Virginia, 43
State Bills of Rights, 552–53, 640, 644
State Constitutions, 551–56
State Governments, 551–56
Statute of Apprentices (1563), 34
Stay laws, 154
Steuben, Baron von, 578
Siegel, Baron Heinrich, glassmaker, 350, 357
Stiles, Ezra, teacher and scientist, 432
Stirling, Lord, 593
Stocks and pillories, for punishment, 309
Stone, Gov. William, 66, 132–33
Stony Point, capture of, 607
Stores and shops, 374–75
Stores, 179–80

- Stryker, Jacobus, artist, 433
 Stuart, Gilbert, artist, 434
 Stuart, John, Indian commissioner, 471, 472, 478, 660
 Stuyvesant, Director Peter, 169-71, 175-76, 213, 369
 Sunbury, battle of, 613
 Suffering Traders, 480
 Suffolk Resolves (1774), 535-36
 Suffrage, in England, 228; in colonies, 88-89, 91-92; *See also* Franchise
 Sugar, 118, 120, 122, 124, 126, 138, 203, 234, 342, 492-94
 Sugar Act (1764), 494-96, 508
 Sullivan, Gen. John, 576, 591, 593, 606, 607, 608
 Sullivan-Clinton Campaign (1779), 607-608
 Sumter, Thomas, 614, 616, 651
 Superintendent of Finance, 638, 670
 Supremacy, Act of (1559), 70
 Supreme Court, of colonies, 40
 Swan, Timothy, composer, 436
 Swearing, laws against, 47, 87
 Sweden, 1, 138, 184, 192, 342
 Swiss, 258, 266, 269, 275, 280, 314
 Sycamore Shoals, Treaty of (1775), 501
- T**
- Talcot, John, 112
 Talon, Jean Baptiste, French official, 9
 Tanning industry, 345, 358
 Tarleton, Col. Banastre, 615, 616, 650
 Taverns, *See* Inns
 Taxation (Taxables), 51, 53, 69, 83, 87-88, 104, 122, 139, 146, 150, 154, 169, 171, 178, 188, 196, 205, 207, 210, 215, 217, 240, 256, 273, 320
 Tea Act (1773), 525-26; reaction to, 526-29
 Tea parties, 528-29
 Teach, Edward, pirate, 374
 Tenants, farm, 67-68, 118, 171, 280, 330
 Tennent, Gilbert, 403
 Tennent, William, 403
 Tennessee, 488, 659, 666
 Test Act (1704), 270
 Textile industry, 232, 269, 351-53
 Thacher, Oxenbridge, 468, 495
 Thanksgiving, 79
 Theus, Jeremiah, artist, 434
 Thirty Years War, 266
 Thomas, Gen. John, 590-91
 Thomson, Charles, 315-16, 535, 558
 Thomson, David, 81, 107
 Ticonderoga, Fort, 455, 546, 558, 588-89
 Tidewater, 12, 480-82
 Timber resources, 36, 346-47
 Tobacco, 11, 43, 45, 49-50, 54-55, 67, 115, 122, 124, 126, 138, 142, 144-45, 148, 154-56, 161, 177, 198, 203, 294, 314, 330, 332, 337-38, 343
 Toleration Act, of Maryland (1649), 66-67, 108, 133; of Maine (1649), 108; of England (1689), 217
 Tordesillas, Treaty of (1494), 5, 22
 Tories, American, 520-22, 569-71, 574; *See also* Loyalists
 Tories, English, 218-19, 223, 227, 236
 Town government, 51, 92-93, 107, 247-48, 325-26
 Town life, 77, 85, 88, 111-12, 157, 184-86, 192, 250, 281-83
 Town meetings, 79, 89, 91, 92-93, 101, 104, 210, 247-48, 530
 Townshend, Charles, 464, 511-13, 519
 Townshend Acts (1767), passed, 511-13; opposition to, 513-19; repeal of, 519-20; effects of, 520-21
 Township government, 241, 324-26
 Trade, and English regulation, 2-3, 34-35, 60, 62, 77, 80-81, 92, 106, 111, 119-20, 124-25, 133-35, 138-40, 142, 157, 165, 196, 230-31, 276, 313, 316, 371-72
 Transportation, by water, 314, 360-61; by land, 362-65
 Transylvania, 483-84
 Treasury Board, 141, 237
 Trent, Capt. William, 449, 480
 Trenton, battle of, 595
Trevett v. Weeden (1786), 671
 Trial by jury, 94, 107, 232
 Triangular trade, 319-20, 377
 Trinidad, 113, 118-19
 Trinity Church (N.Y.), 388, 392
 Tripoli, 668
 Trumbull, John, artist, 434
 Tryon, Gov. William, 487, 488, 607, 650
 Tuition, college, 408
 Tunis, 668
 Turgot, Anne-Robert-Jacques, 458, 624
 Turnbull, Dr. Andrew, 276

Twelve Years' Truce, 164, 175
 Two-Penny Act (1758), 467-68
 Tyler, Royall, playwright, 440

U

Unadilla, battle of, 607
 Unfranchised element, 280-81
 Uniformity, Act of, in England (1559), 70; in Virginia (1631), 129; (1643), 129-30
 Uniforms, Army, 579-80; Navy, 587; Marine, 587
 Union Act of (1707), 223, 273
 United Company for Promoting Manufactures (Phila.), 358
 United Company of Spermaceti Candlers, 359
 Urban II, Pope, 1
 Usselinx, Willem, 174
 Utrecht, Treaty of (1713), 223, 226, 252, 265, 354, 441

V

Valcour Island, battle of, 591
 Valley Forge, 578, 603-604
 Vandalia, colony, 480
 Van der Donck, Adriaen, 168-69, 176
 Van Rensselaer, Kilian, 171, 327
 Van Twiller, Gov. Wouter, 175
 Vane, Gov. Henry (Harry), 99, 134
 Vegetables, 334, 335, 337, 339, 340
 Venables, Col. Robert, 121
 Venango, Fort, 447, 448, 474
 Vergennes, Charles Gravier de, 623, 624, 626, 627, 634, 636
 Verhulst, Willem, 167
 Vermin, problem of, 331
 Vermont, problems of, 251, 674
 Vernon, Adm. Edward, 444
 Verplanck's Point, capture of, 607
 Verrazano, Giovanni, explorer, 9, 13
 Vespucci, Amerigo, explorer, 5
 Vestry, 51, 248
 Vetch, Samuel, 224
 Vice-Admiralty Courts, 214, 232, 237, 491-92, 494-95
 Vincennes, 441, 610
 Vinland, map of, mentioned, 5
 Vincennes, 441, 610

royalized, 51-56; and Puritan Revolution, 129-32; restoration in, 196-201; and Parsons' Cause, 466-68; provincial congress, 547, 549, 551; state government, 552-53; favors independence, 568-73; favors Articles, 657; ratifies Constitution, 696

Virginia Company (1606), 52, 60, 75, 81, 124, 162
 Virginia Plan, 686-87
 Virginiola, 124

W

Wachovia Tract, 15, 256, 268
 Wages, 47, 310-11
 Walker, Dr. Thomas, and the West, 479, 482
 Walloons, 57, 166, 174
 Walpole, Horace, 462, 498, 506, 616
 Walpole, Robert, prime minister, 227, 235, 257, 443, 497
 Wampum, 379
 Wanton, Gov. Joseph, 522, 523, 551
 Wappoo Plantation, 338
 Ward, Gen. Artemas, 560, 589
 Ward, Rev. Nathaniel, 94, 390
 War Office, 237
 Warren, Joseph, 544, 549
 Warwick, Earl of, 52, 80, 101-102, 104, 120, 129
 Washington, Fort, fall of, 595
 Washington, George, 132, 264, 343, 352, 368, 448, 449, 517, 559, 566, 576, 587, 592, 594, 595, 596, 602, 603, 604, 605, 606, 615, 616, 621, 667, 682, 683, 685, 692, 697, 698
 Watauga Association, 482-83
 Water supply, 11, 27, 283, 325
 Watertown, Mass., 85, 92, 104
 Watertown Protest (1632), 87-88
 Wayne, Gen. Anthony, 578, 582, 602, 607, 616
 Weather, problem of, 58, 331
 Webster, Peletiah, 678
 Weddings, 303
 Welsh, 191-192, 254, 256, 265, 271, 275
 Wentworth, Gov. John, 547, 551, 649
 Wesley, John and Charles, 262, 400, 645
 West, Benjamin, artist, 434
 West, problems of (1763-1775), 470ff.;

- West, Thomas (Lord Delaware), 42-43
 West Indies, 10, 24, 29, 39, 45, 113, 124,
 126-27, 138, 226, 234, 333, 361, 377-78,
 457-58, 494, 619, 629-30, 662-64
 West Jersey, 185-86
 West Point, 611
 Westchester County, N.Y., 100
 Westchester Farmer, Letters of, 539
 Western, Fort, 616
 Western Design, of Cromwell, 136-37
 Western lands, struggle over after war,
 653-54, 656-57; settlements, 657-60;
 and Indians, 660-61; organization of,
 676-81
 Westminster Confession of Faith, 394-95,
 398
 Westphalia, Treaty of, (1648), 175
 Wethersfield, Conn., 103, 176
 Weymouth, George, explorer, 36
 Whaling, 357
 Wheat, 11, 67, 314, 333, 336
 Wheelock, Eleazer, and school, 396, 412
 Whigs, American, 502, 522, 525, 569-71,
 648-50
 Whigs, English, 218-19, 223, 227-28,
 236, 462-63, 509-10
 Whipping post, 309
 White, Father Andrew, 61
 White, John, painter, 31-32, 36
 White Plains, battle of, 595
 Whitefield, George, evangelist, 403
 Wigglesworth, Michael, author, 386, 421
 Wilderness, battle of, 452
 Wilderness Zion, 90
 Wilkinson, James, 667
 Willett, Col. Marinus, 600, 608
 William III, and Mary, of England, 108,
 111, 210-11, 218, 221-22, 224, 226,
 229, 236, 369
 William and Mary College, 330, 411, 425,
 432, 437
 William Henry, Fort, 453-54
 Williams, Roger, 20, 96-99, 103, 136, 398
 Williamsburg, Va., 199, 286, 368, 416, 438,
 547
 Willoughby, Lord, and West Indies, 117
 Wilson, James, lawyer, 424, 569, 685, 688
 Windsor, Conn., 102, 176, 361
 Wine and winemaking, 31, 143, 261, 274,
 333
 Wingfield, Edward-Maria, 40-41
 Winthrop, Gov. John, 82-85, 94, 99-100,
 103, 133, 141, 312
 Winthrop, John, Jr., 102, 144, 349, 358,
 430
 Winthrop, John, IV, scientist, 432
 Wise, Rev. John, 210
 Witchcraft trials, 94, 245, 396-97
 Witherspoon, John, 571
 Witt, Christopher, artist, 433
 Wolfe, Gen. James, 455, 456
 Women, legal rights of, 45, 49, 305
 Woolen industry, 26, 33, 342, 351-52
 Woolens Act (1699), 232, 270, 344, 352,
 371
 Woolman, John, Quaker, 320, 420
 Wren, Sir Christopher, architect, 388
 Wright, Gov. James, 340, 549, 551, 649
 Writs of Assistance, controversy over, 230,
 468-70
 Wyoming Valley, massacre at, 607-608
 Wythe, George, lawyer, 424, 552, 562, 569,
 647

Y

- Yale College, 394, 411, 412, 432
 Yamasee War (S.C.), 257
 Yankee Doodle, marching song, 436
 Yankee-Pennamite Wars, 189
 Yeomans, Sir John, 153
 Yeardley, Gov. George, 46-48, 54
 Yellow fever, 224, 426, 430
 York River, 46, 619
 Yorktown, campaign of, 616-19

Z

- Zenger, John Peter, trial of, 418-19
 Zinzendorf, Count, 262